United Nations A/69/206–S/2014/546

General Assembly
Security Council

Distr.: General
1 August 2014

Original: English

General Assembly
Sixty-ninth session
Item 72 of the provisional agenda*
Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Sixty-ninth year

Report of the International Criminal Tribunal for Rwanda

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and to the members of the Security Council the nineteenth annual report of the International Criminal Tribunal for Rwanda, submitted by the President of the International Tribunal for Rwanda in accordance with article 32 of its statute (see Security Council resolution 955 (1994), annex), which states:

> The President of the International Tribunal for Rwanda shall submit an annual report of the International Tribunal for Rwanda to the Security Council and to the General Assembly.

* A/69/150.

14-57957 (E) 140814

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Letter of transmittal

1 August 2014

Excellencies,

I have the honour to submit the nineteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, dated 1 August 2014, to the General Assembly and the Security Council, pursuant to article 32 of the statute of the International Tribunal.

(*Signed*) Vagn **Joensen**
President

President of the General Assembly
United Nations
New York, NY 10017

President of the Security Council
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New York, NY 10017

Nineteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Summary

The present annual report outlines the activities of the International Criminal Tribunal for Rwanda for the period 1 July 2013 to 30 June 2014.

During the past year, the Tribunal transferred a second accused in its custody to Rwanda for trial and continued its efforts to complete the remaining appeals expeditiously. During the reporting period, the Appeals Chamber rendered three judgements concerning five persons, bringing the total number of persons whose judgements have been completed at the appellate level to 51. Completion of the appeals work in all but one case remains on track for completion before the end of 2014, with the final judgement in the multi-accused *Butare* case, concerning six accused, expected not before August 2015.

The Office of the Prosecutor focused on handing over of responsibility for tracking of fugitives to the International Residual Mechanism for Criminal Tribunals and providing support for national authorities in the prosecution of crimes relating to the 1994 Rwandan genocide. Continuous support was also extended to Rwandan authorities to assist them in preparing for the transfer of cases from the Tribunal.

The Registry continued to provide a high level of administrative and judicial support to the Tribunal and to the Mechanism, the Arusha branch of which opened on 1 July 2012. The Registry ensured the cooperation and assistance of Member States with the Tribunal and further strengthened its outreach and capacity-building activities in Rwanda. The Division of Administrative Support Services continued to ensure the efficient management of the Tribunal's downsizing process and handover to the Mechanism, while at the same time preparing staff members for a life after the Tribunal.

All organs of the Tribunal are devoting their best efforts to completing the work of the Tribunal expeditiously, and a smooth transition to the Mechanism is now well under way. The following objectives require essential cooperation and support of Member States: three fugitives remain to be arrested by the Mechanism, nine acquitted persons and three persons who have completed their sentences need countries for relocation, and the Tribunal needs to be provided with sufficient resources to be in a position to complete its tasks in the time frame expected. The Tribunal relies on the ongoing support of Member States to achieve these goals.

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I. Introduction

1. The present nineteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 outlines the activities of the Tribunal for the period from 1 July 2013 to 30 June 2014.

2. The Tribunal, through the Office of the President, the Chambers, the Office of the Prosecutor and the Registry, has continued its efforts to meet the goals of its completion strategy, as endorsed by the Security Council in resolution 1503 (2003), with intense appeals judgement drafting and other activities in the Appeals Chamber remaining as the Tribunal's core focus. During the reporting period, the Tribunal continued to hand over responsibilities to the International Residual Mechanism for Criminal Tribunals, the Arusha branch of which commenced operations on 1 July 2012. The smooth transition to the Mechanism is now well under way.

II. Activities of the Tribunal

3. As at 30 June 2014, the Tribunal consists of the Trial Chamber, the Appeals Chamber, the Office of the Prosecutor and the Registry. The President, Judge Vagn Joensen (Denmark), the Prosecutor, Hassan Bubacar Jallow (the Gambia) and the Registrar, Bongani Majola (South Africa) remain since the previous reporting period. The terms of the Tribunal's President and Prosecutor, who also serve as the duty judge of the Arusha branch and Prosecutor, respectively, of the Mechanism, expire on 31 December 2014. Extensions for both terms will be requested later in 2014, in line with projections for completion of the Tribunal's remaining work in 2015, as detailed herein.

A. Activities of the President

1. Judicial activity

4. During the reporting period, the President issued orders and decisions on a variety of matters in his role as both President of the Tribunal and duty judge of the Arusha branch of the Mechanism. Those decisions and orders related to matters including State cooperation, amendment of indictments and arrest warrants, witness protection review and contempt allegations related to both the Tribunal and the International Criminal Tribunal for the Former Yugoslavia.

2. Completion strategy

5. In close cooperation with the Prosecutor and the Registrar, the President has continued to implement the Tribunal's completion strategy. On 5 December 2013 and 5 June 2014, the President presented the six-monthly completion strategy reports to the Security Council. In the course of the reporting period, the Tribunal issued three judgements at the appeals level concerning five accused. The work at the trial level was completed in December 2012 and only appeals remain.

6. Any further staff attrition would be an impediment to the timely achievement of completion strategy goals, especially in the Appeals Chamber. Replacement of departing staff members is a lengthy process, which even in a best-case scenario would result in delays and cannot compensate for the continuous loss of institutional memory. The Security Council, in its resolution 2054 (2012), reiterated its call upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the Tribunal in order to find practicable solutions to address the staffing situation.

7. The Security Council, in its resolution 1966 (2010) establishing the International Residual Mechanism for Criminal Tribunals, requested the Secretary-General to make the practical arrangements necessary for the commencement of the Mechanism's operations. Under the direction of the Office of Legal Affairs, the Tribunal has worked closely with the International Criminal Tribunal for the Former Yugoslavia and the Mechanism to implement that mandate. The initial priority was to develop a budget proposal for the biennium 2012-2013 and a draft Rules of Procedure and Evidence. The budget was approved by the General Assembly and the Rules of Procedure and Evidence were adopted by the judges of the Mechanism in June 2012. The next steps focused on harmonizing the policies, procedures and operations of the two Tribunals, and initial provision by the Tribunal of administrative services to the Mechanism. Those efforts resulted in the successful opening of the Arusha branch of the Mechanism on 1 July 2012, following which most judicial and prosecutorial functions have now been handed over from the Tribunal to the Mechanism. The remaining functions are being handed over on a continuous basis at the appropriate time, as agreed upon by the Tribunal and the Mechanism and in line with the Transitional Arrangements and resolution 1966 (2010).

3. Diplomatic relations and other representation

8. The President maintained regular contact with United Nations Headquarters and the diplomatic community in the host country, at the seat of the United Nations, and in other countries. The United Nations Secretariat, and in particular the Office of Legal Affairs, provided important legal advice and diplomatic support to ensure smooth cooperation between the Tribunal, the Security Council and the General Assembly.

9. On the occasion of their briefings before the Security Council, both the President and the Prosecutor of the Tribunal participated in meetings of the Security Council Informal Working Group on International Tribunals. This allowed for comprehensive and open discussions with the legal advisers of the members of the Security Council. The Registrar also participated in the June 2014 meeting of the Informal Working Group in order to provide detailed information on the issue of relocating acquitted and convicted released persons.

10. The President has continued to work closely with the Registrar to engage in diplomatic efforts towards the relocation of persons acquitted by the Tribunal and those convicted persons who have completed their sentences and have been released from the United Nations Detention Facility in the United Republic of Tanzania. Enhanced cooperation of Member States on the issue of relocation will be required in order for the Tribunal to be successful in implementing its strategic plan for relocation prior to the closure of the Tribunal.

B. Activities of coordination mechanisms

1. Coordination Council

11. The Coordination Council, consisting of the President, the Prosecutor and the Registrar, met regularly to discuss issues affecting the entire Tribunal, such as the completion strategy, staffing, cooperation with the Mechanism and budgetary and financial matters. A Joint Coordination Council, consisting of the Presidents, Registrars and Prosecutors of the Tribunal and Mechanism, also met regularly in order to take policy decisions to ensure coordinated efforts in preparation of the budgets of the two institutions for the biennium 2014-2015 and with respect to the ongoing transition.

2. Plenary session

12. During the reporting period, no formal plenary session was held. However, the President was in regular contact with the presiding judges of the remaining appeals cases in order to monitor the progress of the cases and deal with issues that may lead to difficulties in meeting completion targets.

3. Rules Committee

13. The Rules Committee submits or discusses proposals for amendments of the Rules of Procedure and Evidence. During the reporting period, the Committee did not have any meetings, as no further revisions to the Rules were required to be considered.

C. Activity of the Chambers

1. Composition of the Chambers

14. The Chambers currently comprise one Trial Chamber and one Appeals Chamber and are currently composed of 12 permanent judges in the Appeals Chamber and one ad litem judge serving as President.

15. The one remaining ad litem judge, President Vagn Joensen (Denmark), is a member of the Trial Chamber. On 31 May 2013, Judge Andrésia Vaz (Senegal) resigned from her position as permanent judge of the Appeals Chamber, leaving 10 judges on the Appeals Chamber. In accordance with article 12 bis of the statute of the Tribunal, following a request from the President of the Tribunal to the Secretary-General, a replacement judge, Mandiaye Niang (Senegal) was appointed on 11 September 2013 to serve the remainder of Judge Vaz's term, until 31 December 2014. The General Assembly also elected Koffi Afande (Togo) in November 2013 to serve as a judge of the International Criminal Tribunal for the Former Yugoslavia. Judge Afande was assigned to the joint Appeals Chamber for the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the Former Yugoslavia, and was sworn in as a permanent judge of the International Criminal Tribunal for Rwanda on 13 December 2013.

16. Twelve permanent judges currently sit on the Appeals Chamber, including the two recent additions. Six of them are from the International Criminal Tribunal for Rwanda, namely, Judges William H. Sekule (United Republic of Tanzania), Mehmet Güney (Turkey), Arlette Ramaroson (Madagascar), Khalida Rachid Khan (Pakistan),

Bakhtiyar Tuzmukhamedov (Russian Federation) and Mandiaye Niang (Senegal). The six other permanent judges on the Appeals Chamber are from the International Criminal Tribunal for the Former Yugoslavia, namely, Judges Theodor Meron (United States of America) as presiding judge, Patrick Robinson (Jamaica), Fausto Pocar (Italy), Liu Daqun (China), Carmel Agius (Malta) and Koffi Afande (Togo).

2. Principal activity of the Trial Chamber and the Appeals Chamber

(a) Trial Chamber

17. The substantive work before the Trial Chamber is complete.

(b) Appeals Chamber

18. During the reporting period, the Appeals Chamber was seized of appeals from seven judgements concerning 15 persons. The Appeals Chamber rendered three final judgements concerning five persons, and 57 pre-appeal orders and decisions.

Appeal Judgements: *Ndahimana, Ndindiliyimana et al.* and *Bizimungu*

19. Trial Chamber II convicted Grégoire Ndahimana, a former *bourgmestre*, of genocide and extermination as a crime against humanity on 17 November 2011 and sentenced him to 15 years of imprisonment. The Appeals Chamber heard the parties' appeals on 6 May 2013. In its judgement of 16 December 2013, the Appeals Chamber affirmed Ndahimana's convictions, entered findings concerning his form of responsibility and the Trial Chamber's determination of his sentence, and increased his sentence to 25 years of imprisonment.

20. From 7 to 10 May 2013, the Appeals Chamber heard appeals from the judgement of Trial Chamber II in the *Ndindiliyimana et al. ("Military II")* case pronounced on 17 May 2011. The Trial Chamber convicted Augustin Ndindiliyimana, the former Chief of Staff of the Rwandan gendarmerie, of genocide, extermination and murder as crimes against humanity, and murder as a serious violation of article 3 common to the Geneva Conventions and of Additional Protocol II thereto, sentencing him to time served. The Trial Chamber convicted François-Xavier Nzuwonemeye, former commander of the Reconnaissance Battalion, and Innocent Sagahutu, former commander of a squadron within the Reconnaissance Battalion, of murder as a crime against humanity and as a serious violation of article 3 common to the Geneva Conventions and of Additional Protocol II thereto. The Trial Chamber sentenced each of them to 20 years of imprisonment. Finally, the Trial Chamber convicted Augustin Bizimungu, the former Chief of Staff of the Rwandan army, of genocide, extermination, murder and rape as crimes against humanity, and murder and rape as serious violations of article 3 common to the Geneva Conventions and of Additional Protocol II thereto, sentencing him to 30 years of imprisonment.

21. On 7 February 2014, the Appeals Chamber severed Bizimungu's case from the *Military II* case, ordering further submissions from the parties. On 11 February 2014, the Appeals Chamber issued its judgement in respect of Ndindiliyimana, Nzuwonemeye and Sagahutu. The Appeals Chamber reversed Ndindiliyimana's and Nzuwonemeye's convictions in their entirety. It also partly reversed Sagahutu's convictions, reducing his sentence to 15 years of imprisonment.

22. The Appeals Chamber issued its judgement in respect of Bizimungu on 30 June 2014. The Appeals Chamber affirmed Bizimungu's convictions for genocide; extermination, murder and rape as crimes against humanity; and murder and rape as serious violations of article 3 common to the Geneva Conventions and of Additional Protocol II, while it reversed findings of his responsibility for certain events. The Appeals Chamber affirmed the sentence of 30 years of imprisonment.

Further appeals from judgement

23. Deliberations are now in progress in the *Karemera* and *Ngirumpatse*, *Nizeyimana* and *Nzabonimana* cases, in which the Appeals Chamber heard arguments in February and April 2014. The Appeals Chamber is also seized of appeals in the *Nyiramasuhuko et al. ("Butare")* case, in respect of which the briefing has concluded and the appeals are being prepared for a hearing.

D. Activities of the Office of the Prosecutor

24. Following the completion of all first instance trial proceedings, the focus of the Office of the Prosecutor is on the completion of ongoing appeals, the monitoring of cases referred to national jurisdictions, transitional activities to ensure a smooth and efficient transfer of functions to the Office of the Prosecutor of the Mechanism, preparation of materials for archiving and on multiple activities related to the Prosecutor's Closing Report to the Secretary-General, and other essential legacy works initiated over the years.

25. The Office of the Prosecutor's Appeals and Legal Advisory Division litigated 26 appeals in 7 cases during the reporting period. On 16 December 2013, the final judgement in the Grégoire Ndahimana appeal was issued, resulting in the imposition of an additional conviction and term of imprisonment. On 11 February 2014, the Appeals Chamber reversed Ndindiliyimana's and Nzuwonemeye's convictions in their entirety. It also partly reversed Sagahutu's convictions, reducing his sentence to 15 years of imprisonment.

26. Oral argument in the appeals pending in the *Karemera* and *Ngirumpatse*, *Nizeyimana*, and *Nzabonimana* cases took place in February and April 2014 and the final judgements are scheduled to be delivered during the second half of 2014. The Appeals Chamber rendered a judgement in the *Bizimungu* appeal on 30 June 2014, affirming most of his convictions and his 30-year term of imprisonment.

27. In September 2013, one Office of the Prosecutor archival facility, along with records of 27 cases made up of 512 boxes and measuring about 100 linear metres, were formally transferred to the custody of the Mechanism. The records consist of inactive trial and appeals cases as well as administrative documents.

28. In addition, the Office of the Prosecutor has transferred a further 596 boxes of material concerning an additional five completed cases and investigation records to the Arusha branch of the Mechanism of the Office of the Prosecutor. The processing of prosecutorial records continues, with the appraisal and security classification of all records of the Office of the Prosecutor. While much has been achieved, there is still much more to be done.

29. In September 2013, the Office of the Prosecutor launched its manual on the tracking and arrest of fugitives from international criminal justice at the eighteenth

annual conference of the International Association of Prosecutors, held in Moscow. In January 2014, the Office of the Prosecutor hosted an international conference in Kampala and released a manual on best practices in the investigation and prosecution of sexual and gender-based violence. Other ongoing legacy initiatives include projects related to recording the course of events of the 1994 Rwandan genocide on the basis of facts established by the judicial process of the Tribunal and challenges regarding the referral of cases to national jurisdictions under rule 11 bis of the Rules of Procedure and Evidence.

E. Activities of the Registry

1. Office of the Registrar

30. The Office of the Registrar is responsible, inter alia, for providing support to the Chambers and the Office of the Prosecutor, including providing diplomatic liaison with Member States to meet the requirements of both the defence teams and the Office of the Prosecutor. It is also responsible for the administration of the Tribunal, including human resources and financial management. During the period from 1 July 2013 to 30 June 2014, the Office of the Registrar provided effective court management and filing services to both organs of the Tribunal as well as the Appeals Chamber. It supported the completion of the *Ndindiliyimana*, *Nzuwonemeye*, *Sagahutu* and *Bizimungu* appeal cases as well as judicial filings involving appeal cases. It also continued to provide administrative support to defence lawyers, including securing cooperation from Member States.

31. During the period under review, the main activities of the Office of the Registrar focused on supporting the conclusion of the remaining appeals, engaging Member States on a variety of issues, providing support to the Mechanism and preparing the records of the Tribunal for archiving and handover to the Mechanism necessary to achieve an orderly closure of the Tribunal.

32. The Office of the Registrar continued to act as the channel of communication between the Tribunal and the diplomatic community. As such, the Office of the Registrar maintained high-level diplomatic contacts with Member States, international organizations and non-governmental organizations. During the reporting period, the Office of the Registrar transmitted more than 100 notes verbales and other correspondence related to the operations of the Tribunal, in particular, to secure support and cooperation from Member States with respect to the remaining appeal cases and the relocation of the acquitted and released persons. The Registry also dealt with a number of inquiries and requests for legal assistance from national jurisdictions.

33. The Office of the Registrar also assisted the Mechanism with its function of monitoring the cases of *Uwinkindi* and *Munyagishari* that were referred to Rwanda for trial, as well as the two cases referred to France.

34. The President and Registrar continue to deploy all efforts to find host countries for the remaining nine acquitted persons and three released convicts. In this regard, the Registrar visited a number of Member States in Africa and Europe and engaged the Government of Rwanda and the African Union with the aim of finding a solution to the problem of relocation. During the period under review, the Tribunal has continued to encounter obstacles in relocating these individuals. There have not yet

been any positive developments pursuant to Security Council resolutions 2029 (2011), 2054 (2012) and 2080 (2012), in which the Council commended Member States that have accepted the relocation to their territories of acquitted persons and released convicts who have completed serving their sentences and reiterated its call upon other Member States that are in a position to do so to cooperate with the Tribunal for that purpose. The President and Registrar have highlighted the urgency of the need for increased cooperation to many Member States, including through discussions with the Security Council Working Group and the group of African Ambassadors to the United Nations, and the President has continued to detail the urgency of the situation in his statements to the Security Council and General Assembly. Considering the imminent closure, the Tribunal remains in urgent need of the assistance of Member States to find a sustainable solution to this issue.

35. The Tribunal welcomed in Arusha a total of 2,850 visitors, including high-level United Nations and government officials, academics, civil society, non-governmental organizations and the general public, during the reporting period. The Office of the Registrar also managed the wide dissemination of information about the Tribunal's activities by means of press meetings, newsletters and press releases as well as the website, films and information brochures in English, French and Kinyarwanda. Through its External Relations Communication and Outreach Unit, the Office distributed more than 10,000 copies of the Tribunal's Cartoon Book, which is part of the Tribunal's youth sensitization project in the five East African countries, namely, Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania. It also briefed the more than 2,800 visitors, including students, academics, military officers, media practitioners and government and non-government officials as well as members of the public, who visited and toured the Tribunal. Media outreach events and exhibitions were held in Arusha, Kigali, Dar es Salaam, United Republic of Tanzania, Nairobi and Johannesburg, South Africa.

36. At these events, film screenings, talks and discussions on the work of the Tribunal were held. The Unit also processed numerous local and international media enquiries and broadcast via satellite trial proceedings in the cases of *The Prosecutor v. Grégoire Ndahimana*; *The Prosecutor v. Augustin Ndindiliyimana, François-Xavier Nzuwonemeye and Innocent Sagahutu*; and *The Prosecutor v. Augustin Bizimungu*. The Office of the Registrar maintains an open line of communication with universities and other educational institutions in the region. In April 2014, the Office participated in an event held to commemorate the twentieth anniversary of the Rwandan Genocide in Dar es Salaam, jointly organized by the United Nations Office in the United Republic of Tanzania, the Rwanda High Commission and the Government of the United Republic of Tanzania. The President and Prosecutor attended other such events in Kigali, and an event was organized by the Arusha branch of the Tribunal, at which the President, Prosecutor and Registrar of the Tribunal and the Minister of Justice of Rwanda participated.

37. The Umusanzu Information and Documentation Centre in Kigali and 10 additional provincial information centres located across Rwanda continued to play a key role in promoting outreach activities of the Tribunal through information dissemination, improved communication and access to the jurisprudence and other legal materials of the Tribunal. The centres are visited daily by members of the Rwandan judiciary, students, researchers and the public, who are provided with informative materials and have access to briefings, training, library services, video screenings and the Internet. As part of the preparation for the handover of the

Umusanzu Information and Documentation Centre to the Government of Rwanda, the staff of the Centre have trained two librarians from the Government of Rwanda on library management, public information and outreach.

38. Significantly, the Umusanzu Information and Documentation Centre continues to receive greater awareness and use by senior government officials, including members of the military, and the police. The Centre was also regularly visited and used by civil society organizations from Rwanda and other countries, including Canada, Ethiopia, Nigeria, South Africa, the Sudan, Switzerland and the United States of America, who are on official study and/or attachment visits in Rwanda. In October 2013, the Centre, within the framework of cooperation with partners of the Tribunal in Rwanda, conducted training in online legal research for legal professionals at the Rwandan Institute of Legal Practice and Development in the Southern province.

39. The Office of the Registrar continued its partnership with the Department of Public Information of the United Nations Secretariat in promoting outreach in Rwanda through the Centre. From February to June 2014, the staff of the Centre conducted genocide awareness workshops in six districts in Rwanda, covering 18 secondary schools, one demobilization and reintegration camp and one institution of higher learning. Approximately 15,000 teachers, students and ex-combatants participated in the programme. The outreach team used the same opportunity to distribute information materials provided by the Tribunal and the Department of Public Information to all participating schools, camps, district local government offices and members of the public. During the reporting period, the Centre in Kigali received approximately 24,000 visitors, while the provincial information centres received approximately 20,000 visitors. On 29 and 30 April 2014, the Tribunal and Mechanism organized two open days at the Centre in Kigali to commemorate the twentieth anniversary of the genocide in Rwanda. The event was attended by senior officials of the Government of Rwanda, including the Prosecutor General, the Executive Secretary of the National Unity and Reconciliation Commission, other senior officials and the general public. It was also attended by the Resident Coordinator and the Resident Representative of the United Nations Development Programme in Rwanda.

40. The Tribunal continues with the preparation of its hard copies, born-digital/electronic and audiovisual records for transfer to and management by the Mechanism. It is collaborating very closely with the Mechanism in that regard, especially to ensure that the records are prepared in a manner that will facilitate their effective management by the Mechanism after transfer. Since the completion of the remaining judicial work of the Tribunal is occurring in phases, a phased transfer of records with long-term to permanent value will be performed until the end of the mandate of the Tribunal. As at 30 June 2014, the ICTR had transferred to the Mechanism 671 linear metres of records with long-term to permanent value. The measures presently being taken to prepare for the disposition of the digital records are an inventory and appraisal of the records in systems across the Tribunal, including shared drives and personal workspaces, and the planning and implementation of the transfer process. The Tribunal is also working to implement an e-capture project, to capture both legacy and current e-mail accounts of staff members who played a significant role in the history of the Tribunal. Redaction of the audiovisual records of the trial proceedings is progressing. The audiovisual redaction process has been streamlined and prioritized to focus on the recordings

most likely to be of interest to external users. The prioritized list will significantly affect the quality and quantity of the final hours of records that will be handed over to the Mechanism by 31 December 2014.

2. Judicial and Legal Affairs Section

41. As part of the ongoing reorganization of the Tribunal, the Judicial and Legal Services Division was abolished as of 31 December 2013. In its place, the Judicial and Legal Affairs Section assumed some of the previous functions of the Division, including providing legal support to the appeals process, the Office of the President and the Registrar and supervising activities related to court management, defence counsel, detainees at the United Nations Detention Facility and acquitted and convicted persons released in the United Republic of Tanzania.

42. In particular, legal officers of the Section assisted the Mechanism by acting as interim monitors of the *Uwinkindi* and *Munyagishari* proceedings in Rwanda. Throughout the reporting period, the monitors submitted regular reports to the Mechanism and the Tribunal on the status of the pre-trial proceedings in both cases. Furthermore, the Section took part in the organization of capacity-building and knowledge-sharing sessions for various international, regional and domestic institutions, including the African Court on Human and Peoples Rights, the Rwandan judiciary and the International Committee of the Red Cross. Finally, the Section provided judicial assistance to domestic courts and government institutions, including in Belgium, Canada, France and Germany.

43. During the reporting period, the Section focal point for court management provided support services to the judicial processes of the Tribunal and the Mechanism, including the provision of transcripts of appellate proceedings. It also continued to prepare judicial records for transfer to the Mechanism, which includes the redaction of audiovisual recordings of the Tribunal's proceedings so they may be made available to the public.

44. The Section focal point for defence counsel, detainees and acquitted and convicted persons released in the United Republic of Tanzania provided essential services to relevant persons. This included management of payments to defence counsel and attending to requests from detainees and released persons in the United Republic of Tanzania related to services provided by the Tribunal.

45. During the reporting period, the Section focal point for witness and victims support worked closely with the Mechanism to prepare witness files for handover in relation to 58 completed cases before the Tribunal. In accordance with protective measures ordered by the Chambers, transcripts were redacted to expunge identifying information concerning witnesses or their family members prior to the transcripts being made public.

46. The United Nations Detention Facility, as at 30 June 2014, housed a total inmate population of 13 detained persons. This includes 11 convicted persons awaiting judgements on appeal by the Tribunal, one convicted person awaiting judgement on appeal by the Mechanism and one convicted person awaiting an order for transfer for the enforcement of sentence by the Mechanism.

47. The Language Services Section continued to provide interpretation and translation services in English, French and Kinyarwanda to the Tribunal and Mechanism during proceedings conducted before the Appeals Chamber and the

Mechanism. In this regard, the Section dealt with documents emanating from the Mechanism, the Appeals Chamber and the parties (prosecution and defence). It also provided the same services to the Office of the Prosecutor, the Registry and other Tribunal and Mechanism departments. In addition to translation and interpretation, the Section provided reproduction services to all organs of the Tribunal and the Mechanism. During the reporting period, the Section received a number of documents for translation, including five appeal judgements, 12 briefs and many other appeal-related filings from different parties, numerous decisions as well as other judicial documents. The Section also continued to translate trial and appeal judgements and decisions accrued from the translation backlog. With the reduction of court sessions, interpreters have continued to assume a significant proportion of the translation workload, thereby enabling the Section to substantially improve delivery times.

48. The Legal Library and Reference Unit delivered legal information to both internal and external users who need to access the materials of the Tribunal and the Mechanism, including their jurisprudence. During this period, the Unit released a DVD containing the basic documents and case law of the Tribunal for the period 1995-2013. The Unit also maintained the web database to enable a large number of researchers to access the Tribunal's jurisprudence.

49. On 1 January 2014, the Office of the Registrar completed the transfer of the Unit together with its functions to the Mechanism, in line with the decision of the Coordination Council. This will enable the Mechanism to provide the necessary support to the prosecution and defence teams and its judges in case of an arrest and trial or appeal. It will help the Library to preserve its collections and continue to inspire scholars, legal professionals and researchers who need to learn from the work of the International Tribunals, especially the International Criminal Tribunal for Rwanda, well past its closure.

3. Division of Administrative Support Services

50. The Division of Administrative Support Services carries the responsibility of providing a wide range of services, such as budget and finance, medical services, security, travel, human resources, training and counselling services, buildings management and property control. During the reporting period, the Division provided administrative services to the Mechanism in line with the provisions of Security Council resolution 1966 (2010).

51. The process of downsizing continued to pose major challenges to the operations of the entire Tribunal and the Division has continued to respond to those challenges in a proactive and flexible manner. Staff retention exercises were conducted in order to determine the number and composition of staff to be retained until the completion of the Tribunal's work. As at 30 June 2014, the Tribunal had 283 staff members, against an authorized staffing level of 306 posts. The Tribunal's staff comes from 55 countries and, as at 30 June 2014, the gender ratio of staff was 62 per cent male and 38 per cent female.

52. The Tribunal continued to provide administrative support to the Arusha branch of the Mechanism following its establishment on 1 July 2012, including facilitation of recruitment and provision of administrative services to the Mechanism staff members in the Arusha and Kigali duty stations up to 31 December 2013. These

administrative services were taken over by the International Criminal Tribunal for the Former Yugoslavia from 1 January 2014.

53. Through the Human Resources and Planning Section, the Tribunal continued to undertake a smooth and objective downsizing process with respect to the large number of staff separating from the Tribunal. Repatriation, relocation and career counselling, in addition to the other staff administration and recruitment activities, made up the majority of the workload of the Section during the reporting period. With more than 50 per cent of the Tribunal's workforce consisting of staff members who have been with the Tribunal since its inception, the looming closure and few options for future jobs has been a source of stress and concern that the Tribunal has to deal with as part of the completion strategy. It should also be noted that the short duration of contracts issued to current staff members continued to contribute to increased uncertainty and to have a negative impact on productivity. In addition, it has proved difficult to attract qualified candidates for short-duration contracts. The current limitations to temporary appointments have the potential to create a negative impact on the timely liquidation of the Tribunal's assets and liabilities, which is also part of the completion strategy.

54. The Career Development and Counselling Unit is implementing a four-pronged strategy to support the completion of the Tribunal's mandate, as follows:

(a) Training programmes to support personal and professional transition of staff, aimed at providing management and staff with skills to meet the challenges of organizational change and downsizing, multi-tasking and double-hatting. They also aim to provide staff with skills to successfully make the transition to another job, self-employment or retirement, as the case may be;

(b) Training programmes to support completion of operations: these are technical training programmes aimed at helping sections complete their operations successfully, either to close down or transfer functions to the Mechanism;

(c) Stress counselling and coaching support during the completion process: this aims to help staff and their families deal with the stress and challenges of the downsizing, and to coach them on issues such as interview preparation, career planning, problem solving and decision-making;

(d) Provision of welfare support to separating and relocating staff and families: this is aimed at providing practical help and information during separation and relocation, and promoting physical fitness and social well-being of Tribunal staff and families during the final period of the Tribunal.

55. The Security and Safety Section continued to support the Tribunal and the Mechanism in ensuring the safety and security of their staff, premises, assets and operations through implementation of United Nations security management system policies, including minimum operating residential security standards and minimum operating security standards. With the ever-increasing levels of insecurity in the East Africa region exacerbated by recent detonations of improvised explosive devices in Arusha, the Section has continued to promote close collaboration with the host Government authorities in monitoring security trends and ensuring appropriate measures are in place to provide adequate notification and implementation of well-rehearsed mitigating measures to staff.

56. The Health Services Unit provided curative, preventive and trauma counselling support and performed medico-administrative duties for staff members and officials of the Tribunal and Mechanism and their dependants. The Unit is also responsible for providing medical services to detainees, witnesses and victims and acquitted persons.

57. The Information Technology Services Section continues its consolidation and optimization process in liquidating Kigali facilities, supporting the Mechanism's information technology infrastructure in Arusha and Kigali and sustaining services required by the Tribunal completion strategy.

58. In the area of resources management, the Budget and Finance Section continued to provide expertise on proper planning, control and monitoring of the utilization of available resources as well as timely and reliable services to staff members and clients of the Tribunal.

59. The General Services Section provided vital support to the Tribunal, which included realignment of office space, preparing administrative documents for archiving, construction of a temporary archives facility, general repairs and maintenance and asset control and management.

60. During the reporting period, the Building Management Services continued to review use of office space in line with the completion strategy, and apart from the staff of the Office of the Prosecutor, all Tribunal staff members have been consolidated into one wing of the Arusha International Conference Centre complex. All courtrooms, apart from the one being retained for the use of the Appeals Chamber and Mechanism, have been dismantled and the space has been reorganized or returned to the landlord.

61. The use of the Galileo Inventory Management System for Asset Management Services is now fully implemented at the Tribunal. The result is improved internal controls on asset management. Disposal of excess assets in line with the completion strategy is ongoing.

62. With the impending closure of the Tribunal, the main function of the Procurement Section has been the disposal of the Tribunal's assets and transferring those that may be utilized by the Mechanism into its custody. During the reporting period, the procurement workload has also increased owing to demands for the procurement, shipping and clearing of items procured for the Mechanism.

63. The Administrative Legal Services Unit has continued to play an important legal advisory role for issues pertaining to the proper implementation and interpretation of United Nations administrative rules, cases relating to the privileges and immunities of staff regarding civil and criminal cases, and disputes related to domestic employees of Tribunal staff members. In addition, the Unit has been assisting the Registrar with appeals related to the downsizing and retention processes, performance evaluations and investigations of allegations and misconduct in collaboration with the Office of Internal Oversight Services. The Unit has also been responsible for coordination activities of all other oversight bodies.

III. Conclusion and recommendations

64. The Tribunal has made significant achievements during the past year towards the goals of the completion strategy in the face of a very high workload, and significant

progress was made on the appeals and on the transition to the Mechanism. The reporting period continued to see an ongoing shift in the Tribunal's focus with respect to both judicial and administrative activities. With the completion of trials and the transfer to Rwanda of the second case of an accused in the Tribunal's custody, the focus is now entirely on the transition to the Mechanism and the completion of the appeals in an efficient and timely manner without compromising fair trial rights.

65. State cooperation remains the cornerstone for the ability of the Tribunal to complete its mandate. The Tribunal appreciates the continued trust and support of Member States and has continued to work in close cooperation with Member States to ensure a seamless transfer to the Mechanism of tracking efforts with respect to the remaining fugitives. The Tribunal could benefit, however, from increased cooperation with respect to its efforts to relocate acquitted persons and those convicted persons released in the United Republic of Tanzania.

66. In this respect, the Tribunal reiterates the call for urgent action to help find host countries for the now nine acquitted persons who remain in a safe house in Arusha under the Tribunal's protection and for the three convicted persons in Arusha who have been released after completion of their sentences. The Tribunal remains concerned about the consequences of failing to fulfil its obligation to relocate acquitted persons and those who have completed their sentences. In this respect, the President and Registrar have continued their extensive efforts to find States for relocation and hope that Member States will actively contribute to finding a meaningful solution to this problem.

67. Finally, as the Tribunal continues to separate staff pursuant to the completion strategy, the request for absorption of the Tribunal's staff members into the United Nations system is re-emphasized. The Tribunal would appreciate the usual support given by Member States in addressing its numerous challenges.

68. As the Tribunal continues the post-trial phase, in which its mandate draws ever nearer to completion, it is our intention to continue efforts to ensure that the legacy of the Tribunal is more than just its judicial decisions; the knowledge gained and lessons learned with respect to running an international judicial institution must also be preserved for posterity and shared with the international community for guidance in future endeavours related to international crimes. The Tribunal's efforts regarding capacity-building, training and education, which have now expanded beyond East Africa, will remain strong. The impact of the Tribunal's work will not only challenge impunity, but will also help to improve the means to dispense justice for an entire region and educate the world on why it is important to fight to ensure that there is never again another tragedy like that of the Rwandan genocide.

69. The countdown to the closure of the Tribunal has begun. On 8 November 2014, the Tribunal will mark 20 years since its creation by the Security Council, and at the same time there will be approximately one year left until the projected closure of the Tribunal. As the Tribunal continues to wrap up its work, however, a great deal remains to be done before it can close its doors. In order to achieve what is necessary prior to closure, we the Tribunal again call upon the international community to provide it with the support necessary to achieve completion of its mandate.

United Nations A/69/207

General Assembly

Distr.: General
30 July 2014

Original: English

Sixty-ninth session
Item 21 (a) of the provisional agenda*
Globalization and interdependence

International migration and development

Report of the Secretary-General

Summary

In its resolution 67/219 of 21 December 2012, the General Assembly requested the Secretary-General to submit to the Assembly at its sixty-ninth session a report on the implementation of that resolution. The present report, prepared in response to that request, provides a summary of the High-level Dialogue on International Migration and Development, held in New York on 3 and 4 October 2013, including its preparatory events and deliberations; and outlines the main initiatives of the Global Migration Group to implement the eight-point agenda for action, as proposed by the Secretary-General in his report prepared for that High-level Dialogue. The present report concludes with recommendations for follow-up to the High-level Dialogue.

* A/69/150.

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Introduction

1. The 2013 High-level Dialogue on International Migration and Development was a landmark event. Through its adoption, on 3 October 2013, of the Declaration of the High-level Dialogue on International Migration and Development (General Assembly resolution 68/4), the Assembly broke new ground in its consideration of the issue of international migration and development. The High-level Dialogue also reflected a significant convergence of views among Member States, the United Nations system, other relevant international organizations and civil society. The Secretary-General's eight-point agenda for action (A/68/190, sect. V), which expresses the common vision of the United Nations system and the International Organization for Migration, is aligned with the Declaration of the High-level Dialogue and the priorities set out by civil society.

2. As the General Assembly considers the inclusion of migration in the elaboration of the sustainable development goals and targets of the post-2015 development agenda, the world is faced with unprecedented challenges. Every day, the perils of migration are evident, including the loss of life of migrants, whether at the point of destination, en route or in countries of departure.

3. Protecting the fundamental human rights of migrants, ensuring that migration is undertaken by choice and making migration "work" for development can be achieved only through cooperation, partnerships and the sharing of responsibility. Through working together, the vision of the 2013 High-level Dialogue can be realized.

I. International migration: global in reach, regional in character

4. Globally, there were 232 million international migrants in 2013 (table 1), with the largest numbers residing in Europe (72 million) and Asia (71 million).

5. While international migration between continents receives significant attention, most international migrants move over smaller distances. Whereas Northern America and Oceania draw most of their international migrants from other regions, the majority of migrants in Africa, Asia, Europe and Latin America and the Caribbean reside in the region in which they were born.

Table 1
Global migrant stock by region of origin and destination, 2013

	Origin							
Destination	*Africa*	*Asia*	*Europe*	*Latin America and the Caribbean*	*Northern America*	*Oceania*	*Total*	*Intraregional*
	millions							*percentage*
Africa	15.3	1.1	0.8	0.0	0.1	0.0	18.6	82
Asia	4.6	53.8	7.6	0.7	0.6	0.1	70.8	76
Europe	8.9	18.6	37.8	4.5	0.9	0.3	72.4	52
Latin America and the Caribbean	0.0	0.3	1.2	5.4	1.3	0.0	8.5	64
Northern America	2.0	15.7	7.9	25.9	1.2	0.3	53.1	2
Oceania	0.5	2.9	3.1	0.1	0.2	1.1	7.9	14
Total	**31.3**	**92.5**	**58.4**	**36.7**	**4.3**	**1.9**	**231.5**	
Intraregional (percentage)	49	58	65	15	28	58		

Note: Regional totals by origin do not add to the total, because information on the country of origin of 6.4 million international migrants was not available.

6. While the proportion of international migrants in the world's population has remained relatively constant for the past two decades, at about 3 per cent, the number of international migrants continued to grow, by 10.8 million between 2010 and 2013. The largest gains were in Asia and Europe, with an increase of over 3 million in each region over that period.

7. Regional changes in the migrant stocks since 2010 mirror the composition of global migrant stocks described above. In Asia, 76 per cent of the increase in the migrant stock resulted from flows within that region. Migrant workers originating from South Asia and South-East Asia who were employed in the oil-producing countries of Western Asia were responsible for much of that growth. Further, persons displaced by the conflicts in Iraq and the Syrian Arab Republic contributed significantly to the increase in the number of international migrants in Western Asia during the period 2010-2013.

8. In Europe, most of the increase in the number of international migrants during 2010-2013 resulted from the movement of migrants from Eastern Europe to Southern and Northern Europe and that of migrants from Southern Europe to Western Europe, partly in response to the economic crisis. In Africa, about half of the increase in the migrant stock during 2010-2013 was the result of the movement of migrants from Northern Africa to Eastern Africa, as well as that of migrants born in Western Africa to other countries of that region. In both corridors, refugees contributed significantly to the increase in the migrant stock.

9. Between 2010 and 2013, the international migrant stock in Northern America grew primarily as a result of migration from Central America, from East and South-East Asia and from the Caribbean. In South America, much of the increase in the number of international migrants was fuelled by migrants born in other countries of South America. In Oceania, the increase in migrant stock between 2010 and 2013

was driven primarily by migration from Northern Europe and from East and South-East Asia.

II. The 2013 High-level Dialogue and its preparations

10. As part of the follow-up to the first High-level Dialogue on International Migration and Development, held in September 2006, the General Assembly, in its resolution 63/225 of 19 December 2008, decided to convene a second High-level Dialogue during its sixty-eighth session in 2013. In its resolution 67/219 of 21 December 2012, the Assembly requested the President of the Assembly to organize, as part of the preparations for the High-level Dialogue, a panel discussion on the overall theme and informal interactive hearings with non-governmental organizations, civil society organizations and the private sector.

A. Panel discussion (New York, 25 June 2013)[1]

11. The panel discussion provided an opportunity for Member States to be briefed on the latest evidence regarding the linkages between migration and development and on the means of addressing key migration challenges, including the protection of the human rights of migrants. Delegates also exchanged views with representatives of the United Nations, the International Organization for Migration and civil society.

12. Panellists observed that the discourse on international migration and development had moved significantly beyond the narrow realm of economic impacts to also include social, cultural and environmental aspects. The contribution of migration and migrants to societies of origin and destination was receiving greater recognition than ever before. Experts observed that migration, while not providing a solution for development, should be more fully integrated into national development strategies. In order to ensure that migration was voluntary, Governments should prioritize poverty reduction and good governance. Panellists asserted that in a globalized world, where barriers to the free movement of goods, services and capital are disappearing, labour also needs to move more freely.

13. Panellists encouraged countries to leverage the benefits of migration for development by recognizing the skills acquired by their citizens while abroad and to capitalize on the potential contributions of diaspora groups. By granting dual citizenship and promoting the transnational portability of acquired benefits, countries could enable migrants to participate more easily in circular and return migration. Panellists argued that migration had a positive, albeit modest, effect on employment and wages as well as a neutral fiscal impact overall in countries of destination. In addition to filling needed gaps in the labour market at all skill levels, due in part to population ageing, migrants played an important role as entrepreneurs and job creators. Host countries were urged to acknowledge the positive contributions made by migrants and to step up efforts to protect the human rights of vulnerable groups, particularly migrant women and children.

14. Panellists drew attention to the progress made in fostering dialogue and cooperation on migration. The Global Forum on Migration and Development, in

[1] See http://www.un.org/esa/population/meetings/HLD2013/panel2013.html.

particular, had provided a useful platform for exchanging ideas and good practices. Participants affirmed the role of the United Nations in improving the governance of global migration and voiced support for integrating migration into the post-2015 development agenda.

B. Informal interactive hearings with civil society (New York, 15 July 2013)[2]

15. The informal interactive hearings offered an opportunity for civil society to express its views and voice its expectations for the 2013 High-level Dialogue and to interact with Member States. Over 300 representatives of non-governmental organizations in consultative status with the Economic and Social Council, worker organizations, other civil society organizations and private sector representatives participated in the hearings. Delegates from over 100 Member States and international organizations were also present. Since the first High-level Dialogue in 2006, Member States and civil society had engaged in constructive debates, which had fostered trust and understanding. Having built on this progress, civil society presented an eight-point five-year agenda focusing on tangible action and called for the adoption of an accountability framework to be followed up through appropriate intergovernmental processes.[3]

16. Participants emphasized the need for a comprehensive rights-based and gender- and age-sensitive migrant-centred approach to international migration and development. For the full benefits of migration to be realized, the human rights and fundamental freedoms of all migrants, regardless of their migration status, must be respected. In designing migration policies, Governments should ensure that the vulnerabilities of migrants, in particular children, adolescents, youth, women and persons with disabilities, are taken into account. A rights-based approach to migration entails equal access for all migrants to education, health care, housing, social protection and justice, as well as equal pay and the right to join trade unions. Civil society offered to engage with Member States in developing a framework for addressing the plight of migrants and their families stranded in dire humanitarian situations, based on the principles of non-discrimination and equality of treatment, non-refoulement and family unity.

17. Noting the importance of addressing deficiencies in the regulatory framework for labour recruitment in respect of reducing the economic and human costs of migration, participants called for implementing existing recruitment standards, licensing, monitoring and, where necessary, sanctioning recruitment agencies and requiring employers to pay for the recruitment of workers in accordance with international labour standards. Participants also urged Governments to create more opportunities for decent work in countries of origin to ensure that migration is undertaken from choice rather than necessity. Considering that migrant and diaspora communities send home remittances, transfer knowledge, foster innovation and create businesses, they should be embraced as partners in development. There was a broad consensus that the issue of migration should be firmly anchored within the United Nations through the inclusion of migrants and migration in the post-2015 development agenda.

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[2] See http://www.un.org/esa/population/meetings/HLD2013/hld2013.html.

[3] See http://hldcivilsociety.org/five-year-action-agenda/.

C. The High-level Dialogue (New York, 3 and 4 October 2013)[4]

18. More than 100 Member States took the floor during the plenary sessions of the 2013 High-level Dialogue, which sought to identify concrete measures for strengthening coherence and cooperation at all levels, enhancing the benefits of international migration and its important links to development and reducing its negative impact. Opening statements were made by the President of the General Assembly, the President of the Economic and Social Council and the Secretary-General, followed by Sweden as Chair of the Global Forum on Migration and Development, an eminent person in the field of international migration and development, and a representative of migrants. Further, three civil society representatives were included in the list of speakers. Summaries of the four round tables, which included multi-stakeholder panels with representatives of Member States, international organizations and civil society, were presented to the plenary at the end of the second day of the High-level Dialogue.

1. Summary of the plenary debate[5]

19. Member States highlighted the importance of protecting the human rights of migrants, especially women, children and other vulnerable groups, during every step of the migration process. Indeed, the benefits of migration could be fully realized only when migrants were protected from discrimination, abuse and exploitation. Member States reaffirmed that the human rights and fundamental freedoms of all migrants and their families should be effectively promoted regardless of their migratory status. In implementing migration policies, countries of origin, transit and destination should avoid approaches that exacerbate the vulnerability of migrants. Member States were also urged to ensure migrants' access to fair working conditions. Labour migrants should be viewed not as mere "production factors" or as "commodities", but rather as human beings with inalienable human rights. In their statements, Member States highlighted the importance of international norms and standards relevant to migration and migrants, and called for the ratification of relevant international legal instruments.

20. Member States also highlighted the centrality of developing partnerships and strengthening cooperation on migration at all levels, bilateral, regional and multilateral, particularly between the countries of origin, transit and destination of migrants. Bilateral and multilateral agreements are crucial for regulating such issues as skills development, skills certification and recognition, the portability of social security and other acquired rights, decent working conditions, and regularization of migration flows. Many countries acknowledged the partnerships with international organizations and welcomed the various initiatives taken by the Special Representative of the Secretary-General on International Migration and Development. Speakers also highlighted the role of the Global Forum on Migration and Development in promoting informal dialogue and cooperation on migration. Several delegates suggested that the Global Forum should strengthen its focus on development, the participation of developing countries and the inclusion of regional perspectives.

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[4] See http://www.un.org/esa/population/meetings/HLD2013/mainhld2013.html.

[5] This summary reflects the Secretary-General's eight-point agenda for action.

21. Speakers underlined the role of regional integration mechanisms in facilitating labour mobility, promoting the human rights of migrants and addressing irregular migration. In many parts of the world, regional consultative processes have successfully promoted informal dialogue and cooperation on migration and mobility. Several speakers called for a comprehensive international instrument on international migration, while some delegates cautioned against the creation of parallel or duplicate structures on migration.

22. Member States hailed the recent advances made at the United Nations in promoting global cooperation on migration. The adoption by consensus of a political declaration on international migration and development at the 2013 High-level Dialogue was recognized as a milestone in the consideration of migration by the world body.

23. Member States underscored the need to eliminate migrant exploitation, including human trafficking. Countries highlighted the critical role of bilateral, regional and multilateral cooperation in combating the heinous crime of human trafficking. They called for prosecuting cross-border criminal networks and employers hiring undocumented migrants, and for protecting victims of human trafficking, in particular women and girls subject to sexual or commercial exploitation. Delegates emphasized that enhancing legal channels for migration could reduce the demand for migrant smuggling and counter abusive practices of employers.

24. Many statements highlighted the need to integrate migration into national development strategies as well as the post-2015 development agenda. Several Member States recalled the objectives and actions on international migration contained in chapter X of the Programme of Action of the International Conference on Population and Development.[6] Speakers proposed the establishment of clear targets and indicators on migration as part of the future sustainable development goals and recognition of the untapped potential of diaspora communities to promote development in countries of origin.

25. Member States that took the floor stressed the need to strengthen the migration evidence base by improving data collection and analysis, including on the impact of migration on development, and to use the information in policy formulation. Speakers called for building, with the assistance of the international community, national capacities to collect and use migration data.

26. Speakers called for a reduction in the costs of labour migration, with many delegates focusing on the need to reduce the costs of transferring remittances by promoting competition and facilitating transparency in the marketplace. While underlining the private nature of remittance flows, some speakers called for enhancing their productive use. Member States highlighted the need to reduce the costs of labour recruitment, especially for low-skilled migrants, and to implement ethical recruitment practices for health workers and teachers in countries facing acute workforce shortages. The need to improve the matching of labour demand and supply and skills was also highlighted.

27. Several Member States emphasized the need to improve public perceptions of migrants by addressing negative perceptions of migrants and migration in host

[6] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18, chap. I, resolution 1, annex.

societies. Some speakers welcomed the use of sound evidence in countering stereotypes and misperceptions, while others stressed the role of the media, civil society actors and other stakeholders in contributing to informed public debate.

28. Some Member States advocated for improving the international response to migrants who are "stranded" in countries of destination or transit as a result of dire humanitarian situations linked to conflict or natural disaster. Participants welcomed the initiative on stranded migrants, initiated by the Special Representative of the Secretary-General on International Migration and Development, as well as the Nansen Initiative, which seeks to strengthen the protection of victims of environmental disasters and crises.

2. Summary of the round tables

29. The first round table reviewed the effects of international migration on sustainable development. Speakers presented national experiences in implementing programmes on migration and development, focusing on issues such as youth and employment, workforce development, mutual recognition of qualifications, involvement of diaspora communities in development cooperation, and entrepreneurship among returning migrants. While the contribution of migration to development was widely acknowledged, speakers cautioned that Governments, not migrants, were ultimately responsible for reducing poverty, promoting economic growth and creating decent work.

30. Nearly all interventions acknowledged the need to reflect the contribution of migration and mobility to global development in the post-2015 development agenda. Migration could be incorporated into the future development framework as part of a new goal on global partnership for development. Other countries called for including migration-related targets under other development goals. Concrete migration targets were also proposed, including reducing the costs of recruitment and of remittance transfers, promoting the recognition of foreign qualifications and acquired skills, and combating human trafficking.

31. The second round table identified measures to ensure respect for, and protection of, the human rights of all migrants. Speakers stressed the obligation of Member States to promote, respect and protect the human rights of all migrants, regardless of their migratory status, in designing migration policies. Participants observed that racism, racial discrimination, xenophobia and related intolerance increased the vulnerability of migrants. While women migrants contribute significantly to the economic and social development of countries of origin and destination, they also face risks of exploitation and abuse during and after their move. Delegates called for the adoption of migration policies, based on the principle of non-discrimination, ensuring migrant women's equal access to wages and health services, and protecting migrant women from domestic violence and other abuse.

32. The second round table also drew attention to the plight of children, adolescents and youth in the context of migration, especially unaccompanied and separated minors, irregular migrant children, and those who remain in countries of origin. In line with obligations under the Convention on the Rights of the Child,[7] speakers highlighted the importance of providing all children with equal access to health care, education, housing, protection, justice and birth registration, regardless

[7] United Nations, *Treaty Series*, vol. 1577, No. 27531.

of their migration status, and called for an end to detaining migrant children. Participants noted that the best interests of the child should be a primary consideration in all policies and decisions affecting migrant children, including on allowing children to reside with their parents.

33. Speakers called attention to the challenges of irregular migration, especially in relation to human trafficking and migrant smuggling, highlighting the roles of Governments and civil society in combating trafficking in persons and in aiding victims of trafficking. Speakers cautioned against criminalizing victims of human trafficking and recommended that special attention be given to vulnerable migrants, including asylum seekers, refugees and stateless persons. Migration policies should ensure safe, orderly and humane pathways of mobility. Yet, addressing the needs and rights of migrants while giving due consideration to the legitimate interests of Member States remains a challenge in many countries.

34. The third round table discussed partnerships and cooperation on international migration, reviewed mechanisms for integrating migration into development policies and highlighted the need for coherence at all levels. Participants observed that, since the 2006 High-level Dialogue, the number of countries pursuing partnerships and cooperation on migration had risen significantly. Several countries had made progress in coordinating the work of the various government entities dealing with migration. Speakers acknowledged the role of regional integration processes and cooperation mechanisms, the Global Forum process and the Global Migration Group in promoting cooperation. Several delegations called upon the United Nations system to strengthen cooperation with the International Organization for Migration. Civil society and migrants were considered key partners and should be included in policy formulation, while employer and worker organizations were critical partners in developing labour mobility programmes.

35. Participants stressed that migration partnerships and cooperation should focus on areas where significant consensus already exists, including lowering the transfer costs of remittances and recruitment fees, facilitating diaspora engagement and improving the evidence base. Speakers noted that, in order to advance the global migration debate and leverage migration for development, follow-up is needed both within and outside the United Nations.

36. The fourth round table discussed labour mobility and its impact on development. Participants agreed that bilateral and regional mobility schemes could play a key role in making migration safe, orderly and regular by ensuring legal access, addressing mismatches between labour market supply and demand, informing prospective migrants about labour-market opportunities and the process of migration, and curbing the demand for human trafficking and migrant smuggling.

37. Labour mobility schemes were also instrumental in protecting the rights of migrant workers, particularly those in vulnerable categories, such as lower-skilled workers, workers who are admitted under temporary migration programmes, migrant domestic workers, and migrant women and youth. Several participants called for concerted efforts to ensure equality of treatment with respect to conditions of work, including wages, and housing. Enforcing the obligation of employers to pay migration costs, eliminating unscrupulous intermediaries, increasing market competition, and certifying recruitment agencies were some of the concrete measures proposed to lower the costs of migration for migrants. Matching between available jobs and migrant skills and facilitating the recognition of foreign

qualifications and diplomas could reduce "brain waste" and enhance positive migration outcomes.

38. Participants called for greater cooperation and coherence among the various government agencies and ministries working on migration at the national level, including immigration and labour ministries, as well as ministries responsible for development, education and social services.

III. Implementing the eight-point agenda: assessing progress, identifying gaps

39. The present section reviews progress made in implementing the Secretary-General's eight-point agenda for action, as presented in his report to the 2013 High-level Dialogue.

A. Protect the human rights of all migrants

40. Since 2013, an additional 11 Member States have ratified International Labour Organization (ILO) Convention No. 189 concerning Decent Work for Domestic Workers (2011), bringing to 14 the total number of its States parties. As of July 2014, a total of 47 States parties had ratified the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[8] while 55 Member States have ratified ILO Convention No. 97 concerning Migration for Employment (Revised 1949), the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (Convention No. 143), or both. In total, 87 countries have ratified at least one of these four migration-related instruments.

41. Since the issuance of report A/68/190, particular attention has been given to reducing the vulnerability of migrant women and children. The United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Refugees (UNHCR) issued guidelines for determining durable solutions which are in the best interest of unaccompanied migrant children. UNICEF, with the support of the United Nations Educational, Scientific and Cultural Organization (UNESCO), coordinated the joint Global Migration Group report entitled "Migration and youth: challenges and opportunities", with contributions from Global Migration Group entities and other stakeholders. At the twenty-sixth session of the Human Rights Council, held in June 2014, several Member States signed a pledge to end the detention of migrant children.

42. ILO, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) have launched a global programme to promote the human and labour rights of migrant domestic workers and their families. OHCHR, in collaboration with ILO, has assisted the national authorities in Lebanon in developing a code of conduct which provides guidance to recruiting agencies on promoting and protecting the rights of migrant domestic workers in that country. OHCHR and UN-Women launched programmes in Mexico, the Philippines and the Republic of Moldova designed to strengthen female migrant worker organizations.

[8] Ibid., vol. 2220, No. 39481.

43. UNHCR has launched a Global Initiative on Protection at Sea to raise awareness about the risks for refugees when participating in mixed migratory movements. In December 2014, UNHCR will organize a dialogue on protection at sea with a view to addressing the loss of life of people fleeing conflict and persecution and to promoting regional cooperation in the sharing of burdens and responsibilities. OHCHR has provided guidance to Member States on establishing a human rights-based approach to border control measures, including for the reception, screening, assistance, detention and return of international migrants.

44. In spite of these efforts, significant challenges persist. There have been only a few new ratifications of most international instruments concerned with international migrants and migration. Further, the use of administrative detention has continued to rise, with thousands of migrants, including children, detained each year; often, they are housed in inadequate facilities and are without recourse to legal counsel. In many parts of the world, migrant children and children born to migrant parents continue to be denied equal access to education or essential health services and are frequently separated from their parents, in particular those in an irregular situation.

B. Reduce the costs of labour migration

45. The report of the Secretary-General prepared for the 2013 High-level Dialogue identified four types of interventions that could reduce the costs related to migration, namely (a) lowering the transfer costs of remittances, (b) reducing the fees paid to recruiters, (c) enhancing the portability of social security and other acquired rights and (d) promoting the mutual recognition of diplomas, qualifications and skills. Since October 2013, various initiatives have been undertaken to reduce the costs targeted by these interventions and other migration costs.

46. The International Fund for Agricultural Development (IFAD) and the European Commission, in collaboration with the World Bank and the Universal Postal Union (UPU), have launched the African postal financial services initiative, which aims to increase competition in some of the most expensive remittance corridors. Further, the African Union, in partnership with the European Commission, the World Bank, the African Development Bank and the International Organization for Migration, has inaugurated the African Institute for Remittances, which seeks to reduce the costs of transmitting remittances, develop financial products for remittance beneficiaries and strengthen financial literacy programmes. Through websites and financial literacy courses, the International Organization for Migration provides information to migrants and their families on remittance prices and the productive use of remittances. Such initiatives have already produced some results. Between 2009 and 2013, the reduction in the costs of transferring remittances resulted in an estimated savings to migrants and their families of over US$ 40 billion.[9]

47. Several new initiatives are under way to reduce excessive recruitment costs. ILO and the World Bank, with the support of the Global Knowledge Partnership on Migration and Development (KNOMAD), have conducted four pilot surveys to assess recruitment and other migration-related costs. ILO, in collaboration with several

[9] World Bank, "Savings of $44 billion: impacts of the global target of a reduction of remittances cost through effective interventions at the global, country and municipality levels" (4 April 2014). Available from http://www.worldbank.org/en/results/2014/04/04/savings-of-44-billion.

members of the Global Migration Group, has launched a "fair recruitment" initiative aimed at collecting information on international recruitment practices and assisting countries in bringing laws, policies and enforcement mechanisms in line with international labour standards. The International Organization for Migration and the International Organization of Employers, a private sector network of 150 business and employer federations in 143 countries, have created a public-private alliance for fair and ethical recruitment and treatment of foreign labour. Within this alliance, a voluntary ethical recruitment framework, referred to as the International Recruitment Integrity System (IRIS), is being developed with the aim of reducing recruitment costs for migrant workers.

48. The World Health Organization (WHO) promotes the inclusion of health-care benefits in social protection agreements between countries of origin and destination. These agreements also encompass the portability of social security and other acquired rights for returning migrants. UNESCO continues to advocate for the mutual recognition of qualifications and professional standards within the framework of the six regional conventions on the recognition of qualifications. UNHCR promotes access for refugees to migrant worker schemes.

49. Although some progress has been made in each of these areas, much remains to be done. For instance, in the fourth quarter of 2013, the average cost of transmitting remittances was found to be above 5 per cent in 173 corridors, whereas remittance costs were below 5 per cent in only 47 corridors.[10] Some of the most expensive remittance corridors were found in the poorest countries. According to a recent report by the Overseas Development Institute, Africa would gain an estimated $1.8 billion per year if the costs of transferring remittances were at levels recommended by the Group of Eight (G8).[11] Such savings could pay for the yearly primary school education of an estimated 14 million children in the region, cutting in half the number of primary school age children in sub-Saharan Africa who are not enrolled in school.[12]

50. Recruitment costs for migrant workers also remain high, with months, if not years, of wages lost to cover the costs of documents, transportation and recruitment service fees. Lack of progress in recognizing educational and professional qualifications across countries and regions continues to contribute to deskilling or brain waste. At the same time, employers in many parts of the world are facing shortages of qualified local workers. In sum, the excessive costs of international migration, combined with the waste of human capital resulting from qualification and labour mismatches, continue to stymie the positive development impacts of migration.

C. Eliminate migrant exploitation, including human trafficking

51. In the period since the issuance of document A/68/190, responses to human trafficking and migrant smuggling have intensified. The United Nations Office on Drugs and Crime (UNODC) has assisted countries in all regions in their efforts to counter trafficking in persons and smuggling of migrants, including through

[10] Ibid.

[11] Kevin Watkins and Maria Quattri, "Lost in intermediation: how excessive charges undermine the benefits of remittances for Africa", *ODI Report* (London, Overseas Development Institute, April 2014).

[12] Ibid.

legislative assistance and capacity-building. Furthermore, UNODC has developed a reporting mechanism on migrant smuggling and related conduct in South-East Asia. Several private companies have taken steps to eliminate forced labour from their global supply chains. In another encouraging development, the General Conference of ILO adopted the Protocol of 2014 to the Forced Labour Convention, 1930, to address gaps relating to the prevention of forced labour by protecting migrant workers from fraudulent recruitment processes and providing effective remedies to victims.

52. Several entities have undertaken specific initiatives to address the trafficking of women and children. ILO, with support from the United Kingdom of Great Britain and Northern Ireland, for instance, has launched a five-year cooperation programme aimed at preventing the trafficking of women and girls in Bangladesh, India, Jordan, Lebanon, Nepal, the United Arab Emirates and other countries in Asia. The International Organization for Migration, in collaboration with UNICEF and other international organizations, has trained representatives from ministries and civil society in the Caribbean, Eastern Africa and South America on human trafficking, gender-based violence and child protection.

53. The inter-agency coordination group against trafficking in persons continues to promote a comprehensive approach to the issue, including by supporting victims of trafficking. Further, UNHCR and the International Organization for Migration are collaborating in various task forces on promoting a human rights-based approach to people participating in mixed migratory flows in Northern and north-eastern Africa.

54. While ratification of the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[13] and the 2000 Protocol against the Smuggling of Migrants by Land, Sea and Air[14] is robust, with 159 and 138 States parties thereto, respectively, as of June 2014, the effective implementation of the two instruments at the national level remains a challenge. Furthermore, opportunities for safe and regular migration do not reflect the reality of today's migration. The costs of this inaction are intolerably high, with thousands of migrants each year perishing at sea or while crossing international borders.

D. Address the plight of stranded migrants

55. The plight of stranded migrants, a cause championed by the Special Representative of the Secretary-General on International Migration and Development, has received increasing attention. Over the past few years, acute crises have highlighted the need for a framework for delineating the responsibilities of Member States and non-State actors towards migrants caught in crisis situations. To address this gap, Australia, Bangladesh, Costa Rica, Ethiopia, the Philippines and the United States of America, along with the European Commission, with support from UNHCR and the International Organization for Migration, are leading an effort to protect the dignity and rights of migrants caught in countries experiencing acute crises. The aim of this initiative is to develop a set of voluntary guidelines for all stakeholders with regard to emergency preparedness, institutional capacities, humanitarian assistance, protection responses and post-crisis support.

[13] United Nations, *Treaty Series*, vol. 2237, No. 39574.

[14] Ibid., vol. 2241, No. 39574.

56. A second important initiative to address gaps in the current protection regime for international migrants is the Nansen Initiative. Norway and Switzerland, with the support of UNHCR and the International Organization for Migration, initiated this consultative process aimed at addressing cross-border displacement as a result of natural disasters and climate change.

57. The newly formed Solutions Alliance, a partnership of humanitarian and development actors, aims to find solutions to protracted situations of displacement by promoting the resilience, self-reliance and development of refugees and displaced persons. Through the work of Member States, civil society and the private sector, the initiative promotes the notion that displacement is not only a humanitarian concern and a protection issue, but also a development challenge, which should be duly reflected in the post-2015 development agenda.

E. Improve public perceptions of migrants

58. Since October 2013, efforts have been undertaken to create greater public awareness of the contributions that migrants make to countries of origin and destination, and to combat discrimination, xenophobia and intolerance towards migrants and their families. OHCHR and ILO have developed a series of cartoons as part of a campaign to challenge commonly held stereotypes about migrants. OHCHR has also prepared a publication and audiovisual material on the human rights of migrant domestic workers in an irregular situation. The International Organization for Migration has launched an information campaign, entitled "It's amazing what migrants bring", to highlight migrants' contributions to societies of origin and destination.

59. Initiatives have sought to embrace a wide array of stakeholders, including the private sector, trade unions, the media, educational institutions, local governments and migrants. In late 2013, UNICEF, in collaboration with several partners, launched an online consultation on youth migration, inequalities and the post-2015 development agenda to lend a voice to young people, migrants and academics in formulating recommendations on how to make migration a positive experience. Efforts are also under way towards working with municipal and regional governments to change public attitudes regarding migrants and migration. In this regard, the United Nations Institute for Training and Research (UNITAR), in collaboration with the International Organization for Migration, the United Nations University (UNU), the Joint Migration and Development Initiative and the Global Knowledge Partnership on Migration and Development, supported the city of Barcelona in hosting the first mayoral forum on mobility, migration and development in June 2014. A second mayoral forum is expected to be held in Quito in 2015.

60. Nevertheless, negative stereotypes still persist with regard to both migrants and migration. Recent surveys in Europe and Northern America suggest that a large share of respondents view international migration as a challenge. Misperceptions about migrants' contributions to the economy and public finances and their use of social protection systems, as well as their impacts on labour markets and wage levels, continue to contribute to negative attitudes among host populations towards migrants and labour mobility.

F. Integrate migration into the development agenda

61. Based on the growing body of evidence attesting to the multiple contributions of migration, mobility and migrants to sustainable development, the international community has begun to advocate for including migration-related goals and targets in the post-2015 development agenda. In recent discussions among Member States and other stakeholders, several priority areas have been identified for maximizing the development benefits of migration while minimizing its human, social and financial costs (see table 2).

Table 2
Indicative list of migration-related target areas

Target area	*Global Experts Meeting on Migration*[a]	*GFMD 2014*[b]	*OWG*[c]
Promote international cooperation and partnerships	x	x	
Facilitate safe, orderly, regular migration	x	x	x
Enhance labour mobility	x	x	x
Reduce remittance transfer costs	x	x	x
Lower recruitment costs	x	x	
Improve the portability of acquired rights	x	x	
Recognize skills and diplomas acquired abroad	x	x	
End discrimination and combat xenophobia	x	x	
Combat human trafficking	x	x	x
Find solutions for refugees and displaced persons		x	
Safeguard the rights of migrant workers	x	x	x
Protect the human rights of migrants	x	x	
Mitigate the effects of the brain drain	x		x
Strengthen the migration evidence base	x	x	
Include migrants in vulnerable groups	x	x	
Promote legal identity and birth registration			x

[a] Organized by the Governments of Bangladesh and Switzerland (Dhaka, 28 and 29 April 2014).
[b] Seventh meeting of the Global Forum on Migration and Development, organized by the Government of Sweden (Stockholm, 14-16 May 2014).
[c] Outcome document: Open Working Group on Sustainable Development Goals (draft, 30 June 2014).

62. Various complementary actions exist for including migration in the post-2015 development agenda. First, as an "enabler" for global development, migration could

contribute to achieving several development goals, including ending poverty, attaining healthy lives and promoting decent work. Second, targets aimed at leveraging the benefits and reducing the costs of migration could be viewed as a means of implementing the post-2015 development agenda. Third, relevant targets could be disaggregated for migrants, refugees and other vulnerable groups.

63. Operationalizing the above themes as targets and indicators that are specific, measurable, achievable, relevant and time-bound (SMART) is crucial for meeting standards of monitoring and accountability. The Global Migration Group has identified several themes that have a good potential for use in monitoring progress over time, including remittance transfer costs, recruitment costs, portability of social security and other acquired rights, skills recognition, human trafficking, statelessness and durable solutions for refugees. Several Global Migration Group entities are developing a set of indicators on the human rights of migrants and their families, with a special focus on the rights to health, education and decent work. Further work is needed to develop data and indicators that rely on innovative data sources.

64. The Global Migration Group also supports country operations. The Joint Migration and Development Initiative, a partnership of six Global Migration Group members, seeks to promote the benefits of migration at the local level in developing countries. Further, the International Organization for Migration and the United Nations Development Programme (UNDP) are working in eight pilot countries to integrate migration into national development strategies. The Global Migration Group is also developing guidance on migration within the context of the United Nations Development Assistance Framework and the "Delivering as one" initiative.

G. Strengthen the migration evidence base

65. The availability of timely, reliable and accurate data is a prerequisite for evidence-based debate and for policymaking and monitoring. Many countries have weak capacities to produce basic data on migrant stocks and migration flows or to carry out policy-relevant analyses on ways and means of reaping the benefits of migration for individuals, communities and societies. A recent assessment of available migration data in 10 developing countries found that although many sources of relevant data exist in various national institutions, often those data are not recognized as a resource for national policy and planning, and are not systematically utilized, analysed or disseminated.[15] Evidence on the linkages between internal and international migration is largely missing.

66. While population censuses remain the primary source of internationally comparable information on the number and characteristics of international migrants, their use remains problematic owing to delays in the processing and dissemination of census tabulations. For the 2010 census round, which started in 2005 and will end in 2014, 130 countries and areas were known as of 1 January 2014 to have asked relevant questions on the foreign-born population. However, only 61 (47 per cent) of those countries and areas had reported data on the total foreign-born population as of that date and just 42 (32 per cent) had reported data on the foreign-born

[15] ACP Observatory on Migration, "Migration and development within the South: new evidence from African, Caribbean and Pacific countries", *International Organization for Migration Migration Research Series*, No. 46 (Geneva, International Organization for Migration, 2013).

population disaggregated by country of birth. Only a handful of developing countries have reported statistics to the United Nations Statistics Division in recent years on migration flows measured using data from administrative sources.

67. As migration, migrants and mobility are increasingly being considered within the context of the global development agenda and in national planning strategies, the demand for timely, accurate, nationally relevant and internationally comparable migration data and indicators is expected to rise. The report of the Secretary-General on international migration statistics (E/CN.3/2014/20), submitted to the Statistical Commission at its forty-fifth session, held in March 2014, emphasized that more needs to be done to encourage the tabulation and dissemination of census data on international migration, to harness the use of migration data generated by administrative sources, to enhance the capacity of developing countries in collecting and using migration data, and to enable the exchange of statistical information between countries. The report recommended that the international statistical community establish a dedicated capacity-development programme to improve the collection, processing and analysis of migration data for policy planning. In a similar vein, the nineteenth International Conference of Labour Statisticians, held in Geneva in October 2013, called for further work on labour migration statistics, to be used in informing labour migration policies.

68. To strengthen the evidence base on international migration, the agencies of the Global Migration Group have invested in data-collection activities, methodological work on indicators, capacity development, knowledge-sharing, surveys and research studies. The United Nations Global Migration Database, maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, continues to be updated and will be used to inform future revisions of estimates of the global migrant stock by age, sex and country of birth. In collaboration with UNICEF, the Population Division produced the 2014 edition of a common set of indicators, covering 232 countries and areas, complementing the repository of migration profiles maintained by the Global Forum on Migration and Development. Other Global Forum entities also continue to contribute to the global migration evidence base. For example, UNODC collected data for the *Global Report on Trafficking in Persons 2014*[16] and has expanded its case law database on human trafficking, while the International Organization for Migration has started to track the number of migrant deaths in border regions and has launched a related study. *EFA Global Monitoring Report 2013/4: Achieving Equality for All*,[17] published by UNESCO in early 2014, found that migrant children in secondary schools in developed countries lag behind native-born students on reading benchmarks.

69. The Global Migration Group continues to advocate for the use of surveys in measuring the scale and impact of migration. For example, UNICEF, the United Nations Population Fund (UNFPA) and the International Organization for Migration are preparing a report on the impact of migration on families left behind and on those who have returned from abroad, using both qualitative and quantitative survey methods. Drawing on the Gallup World Poll, based on interviews with 25,000 migrants in over 150 countries, the International Organization for Migration developed a set of indicators on the well-being of migrants around the world in its

[16] Vienna, 2014.

[17] Paris, 2014.

World Migration Report 2013: Migrant Well-Being and Development.[18] In collaboration with Gallup, IOM has launched a multi-year world migration survey programme, starting with the inauguration of the International Migration Barometer in 2014.

70. In the area of capacity development, the Economic Commission for Europe (ECE), the European Free Trade Association (EFTA) and the International Organization for Migration organized a workshop on the collection and use of migration statistics for the countries of Eastern Europe, the Caucasus and Central Asia. The 2014 work session of ECE on migration statistics will address the measurement of integration, return and circular migration, and the impact of migration. The Global Migration Group, with the support of the Global Knowledge Partnership on Migration and Development, is preparing a practical guide to measuring international migration and its impacts on development. The Department of Economic and Social Affairs, in collaboration with key stakeholders, will organize up to three workshops with a view to improving the collection and use of migration data during the biennium 2014-2015.

71. In April 2014, UNFPA and the Population Division of the Department of Economic and Social Affairs, with the support of the Global Knowledge Partnership on Migration and Development, organized a seminar on the role of migration in population modelling. Experts presented methodologies for improving estimates of the stocks and flows of international migrants and for projecting future migration trends. The seminar found that the lack of consistent and complete migration data and the inherent challenges in forecasting migration continue to be an impediment to producing standardized approaches and reliable migration projections.

H. Enhance migration partnerships and cooperation

72. In 2014, the Global Migration Group organized several briefings and side events to improve coordination with the Global Forum on Migration and Development. At the seventh meeting of the Global Forum on Migration and Development, held in May 2014, the Special Representative of the Secretary-General on International Migration and Development invited representatives of the Global Forum on Migration and Development and the Global Migration Group to discuss the implementation of the commitments made at the 2013 High-level Dialogue and, in particular, the integration of migration into the post-2015 development agenda. The meeting identified several other themes for future collaboration, including reducing the costs of labour migration, improving the protection of migrant domestic workers, and assisting migrants in countries facing crises.

73. In accordance with General Assembly resolutions 56/203 of 21 December 2001 and 58/208 of 23 December 2003, the Population Division of the Department of Economic and Social Affairs continues to convene annual coordination meetings on international migration. The twelfth coordination meeting, held in February 2014, focused on operationalizing the Secretary-General's eight-point agenda for action and on integrating international migration into the framework of the post-2015 development agenda. Since the first High-level Dialogue on International Migration and Development, participation in the coordination meeting has greatly expanded,

[18] Geneva, 2013.

from about 80 participants in 2006 to nearly 150 participants in 2014. Participation has also broadened in scope to include, in addition to representatives of agencies, funds and programmes of the United Nations system and other relevant intergovernmental organizations, the current and the incoming Chair-in-Office of the Global Forum on Migration and Development and representatives of Member States and non-governmental organizations, including employer and worker organizations.

74. At the regional level, the Economic and Social Commission for Western Asia (ESCWA), the League of Arab States and the International Organization for Migration have been cooperating on a number of initiatives, including a report on international migration in the Arab region. The Economic Commission for Latin America and the Caribbean (ECLAC) has continued to foster partnerships through its role in regional consultative processes on international migration, such as the South American Conference on Migration and the Regional Conference on Migration, and in regional organizations, such as the Community of Latin American and Caribbean States and the Union of South American Nations. The Asia-Pacific Regional Thematic Working Group on International Migration including Human Trafficking, co-chaired by the Economic and Social Commission for Asia and the Pacific (ESCAP) and the International Organization for Migration, is preparing a report with policy recommendations on leveraging the contribution of migrant workers. The International Organization for Migration has continued to support regional consultative processes on migration through research, policy advice and capacity-building activities. The Global Migration Group has been working with the African Union to ensure that labour migration is duly reflected in the preparations for a summit on employment and poverty alleviation in Africa, to be held in Ouagadougou in September 2014. ILO, with the support of the Global Knowledge Partnership on Migration and Development, is currently preparing an inventory of good practices in bilateral agreements that produce positive outcomes for workers and employers as well as for the countries of origin and destination of labour migrants.

75. The Global Migration Group sought to further its engagement with civil society, including with trade unions, during the civil society days of the seventh meeting of the Global Forum on Migration and Development in 2014, at the twelfth coordination meeting on international migration, and in other events. Civil society has also participated in various activities carried out by working groups and task forces of the Global Migration Group. The annual UNHCR consultations with non-governmental organizations, held in June 2014, provided an opportunity to consult and coordinate with civil society on the protection of women asylum seekers and refugees within mixed migratory flows, in particular at sea. The 2014 annual consultations of the International Organization for Migration with civil society partners focused on the follow-up to the 2013 High-level Dialogue. Cognizant of the potential contribution of migrants to development, the International Organization for Migration is promoting partnerships between diaspora communities and governments in both countries of origin and destination.

I. Following up the 2013 High-level Dialogue: the role of civil society

76. Civil society will concentrate on those elements from its five-year eight-point agenda that, in its view, will make collaboration with Member States most effective. A first priority of civil society is to include migration-related targets in the sustainable development goals of the post-2015 development agenda. By focusing

on sustainable development, decent work, equitable growth and universal access to social protection, civil society hopes to address inequalities and ensure that future migration will be voluntary.

77. A second priority of civil society is to provide protection and assistance to migrants in situations of crisis and transit. Civil society underscores the need to ensure the protection of vulnerable migrants in transit, regardless of their status, especially women and children subject to trafficking, and to address violence and abuse associated with crossing borders. To alleviate the burdens imposed by these challenges, civil society calls for the expansion of channels for regular, safe and orderly migration.

78. Third, civil society supports reform of the migrant labour recruitment industry. As a means of addressing recruitment malpractices, several countries have reformed their laws, while businesses have begun to scrutinize their global supply chains. Yet, more needs to be done to promote international human rights and labour standards for migrant workers, to facilitate the portability of skills and rights acquired by migrants, to reduce the costs of transferring migrant remittances, and to allow migrants to switch their employer.

79. Last, civil society is committed to working with Member States to promote effective institutions and good governance in the context of international migration and development. In particular, civil society promotes equal access of migrants and non-migrants to social protection, justice and due process and seeks to end the criminalization and detention of migrants in an irregular situation. Civil society recognizes the contribution of the Global Forum on Migration and Development and has called upon the Global Forum to strengthen its accountability, transparency and inclusiveness.

IV. The 2013 High-level Dialogue: follow-up and next steps

80. **Member States are invited to take action to implement the Declaration adopted at the 2013 High-level Dialogue. The Secretary-General's eight-point plan of action is a helpful framework for guiding the implementation of measures designed to leverage migration for development, to address migration challenges, to facilitate mobility and to protect the human rights of migrants. The international community is encouraged to support Member States in developing and implementing relevant migration and development policies and programmes.**

81. **The General Assembly is invited to consider holding high-level dialogues on migration at regular intervals to review the status of implementation of the commitments made at the 2013 High-level Dialogue. Such events could be held every three to five years.**

82. **The General Assembly is also invited to consider integrating the subject of international migrants, migration and mobility into the post-2015 sustainable development goals process. Member States have already proposed relevant targets under various goals, including those dealing with means of implementation and global partnerships, poverty and decent work. Explicit reference should be made to migrants, refugees, stateless persons and other**

vulnerable groups when development targets that are relevant to migration are being monitored.

83. **The Economic and Social Council is invited to consider holding an annual high-level debate on international migration and development in order to allow the Secretary-General's Special Representative on International Migration and Development, the Chair of the Global Forum on Migration and Development, the Chair of the Global Migration Group and representatives of other relevant stakeholders to discuss with Member States the opportunities and challenges presented by migration and mobility with respect to development.**

84. **The Department of Economic and Social Affairs will continue to convene annual coordination meetings on international migration and to assess, in close cooperation with the Global Migration Group, interested agencies, funds and programmes of the United Nations system, and civil society, the progress made in implementing the Secretary-General's eight-point agenda.**

85. **The Global Forum on Migration and Development is invited to continue its efforts to promote informal dialogue and cooperation between Member States and with civil society. In so doing, the Global Forum could strengthen its development focus and ensure that regional perspectives are fully reflected.**

86. **The Special Representative of the Secretary-General on International Migration and Development will continue to facilitate the linkages between the United Nations and the Global Forum process. He will also continue to advocate for the commitments made at the 2013 High-level Dialogue, including (a) to address the dire situation of migrants caught in crisis situations, (b) to integrate the subject of migrants, migration and mobility into the post-2015 sustainable development goals process and (c) to promote collaboration between the Global Forum process and the Global Migration Group.**

87. **The 18 members of the Global Migration Group should continue to take steps to strengthen their cooperation, enhance their engagement with Member States and civil society and engage jointly in work at the country level that is in the service of migrants and their families in societies of origin, transit and destination.**

United Nations A/69/208

General Assembly

Distr.: General
30 July 2014

Original: English

Sixty-ninth session
Item 99 of the provisional agenda*
Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

Work of the Advisory Board on Disarmament Matters

Report of the Secretary-General

Summary

The Advisory Board on Disarmament Matters held its sixty-first session in New York from 5 to 7 March 2014 and its sixty-second session in Geneva from 2 to 4 July 2014. During those sessions, it focused its deliberations on the following substantive items on its agenda: (a) disarmament and security implications of emerging technologies; and (b) verification, with a special focus on new verification technologies.

The Board had an exchange of views on the first agenda item at its two sessions in 2014. With respect to unmanned aerial vehicles, commonly known as drones, the Board recommended that the Secretary-General commission a study to examine the distinction between armed/military drones and unarmed/peaceful/civilian drones, and such ideas as improving transparency in targeted unmanned aerial vehicle strikes as a confidence-building measure and developing a robust oversight and accountability mechanisms for targeted strikes outside active battlefields. The proposed study should also consider international humanitarian law and how relevant principles such as distinction, proportionality and military necessity should be applied with a view to avoiding excessive injurious or indiscriminate effects.

The Board recommended that the Secretary-General consider including in the above-mentioned study a broader range of emerging technologies that might have an impact on international security and the arms control process, including in the field of outer space. It was also recommended that the Secretary-General encourage international and regional organizations to engage in and discuss more actively the issue of emerging technologies. Furthermore, it was recommended that the

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Secretary-General encourage Member States to take into account their responsibility and obligation to the wider international community when using emerging technologies, given the absence of international regulation in that field. In this connection, it was recommended that the Secretary-General encourage States to develop and implement inter-State transparency and confidence-building measures with regard to emerging technologies.

The Board engaged in a very active discussion on the second agenda item at both of its sessions in 2014 as well as during the intersessional period. It recommended that the Secretary-General use his authority to promote the importance of developing new verification technologies for the non-proliferation of weapons of mass destruction. In this connection, the Board also recommended that he encourage States to share verification technologies with respect to the disarmament of weapons of mass destruction, as long as appropriate mechanisms were put in place. In addition, it was recommended that the Secretary-General encourage all Member States, in appropriate circumstances and with the necessary safeguards in place, to voluntarily share with multilateral organizations information derived from national technical means to enhance verification. These multilateral organizations should, however, ensure the protection of the confidentiality of such information when requested and ensure that the information was corroborated, where possible, using other sources of information. In this regard, information derived from national technical means would remain only supplementary to information from multilateral sources.

The Advisory Board recommended that the Secretary-General make further efforts to foster more active and constructive interaction and cooperation among existing organizations based on extensive verification regimes (especially those of the International Atomic Energy Agency, the Organization for Security and Cooperation in Europe, the Organization for the Prohibition of Chemical Weapons and the Comprehensive Nuclear-Test-Ban Treaty Organization) through information- and experience-sharing to maximize synergy in the conduct of verification activities. The Board also recommended that the Secretary-General consider convening a meeting of the relevant organizations to discuss cooperation. Recognizing the urgent need for capacity-building to ensure that verification procedures were fully implemented, the Board recommended that the Secretary-General encourage Member States with the requisite means to assist other States, in particular developing countries, with capacity-building in the areas of monitoring and verification. The Board noted that the Panel of Government Experts on verification in all its aspects, including the role of the United Nations in the field of verification, had last been convened in 2006. Given a decade of rapid technological developments in the field of verification, notably in remote sensing, communications and information technology, the Board believed that it was an opportune time to establish a new panel. It therefore recommended that the Secretary-General convene a new panel of experts on verification, with a focus on the role of new verification technologies.

Serving as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR), the Advisory Board approved the workplan and budget of the Institute for the period 2014-2015 as well as the submission to the General Assembly of the report of the Director of the Institute on the activities and financial status of UNIDIR.

The Board reviewed the current status of UNIDIR and its programme of work, noting the chronic budgetary situation, the difficulties in securing sustainable funding and the administrative problems resulting from the Institute's relationship with the United Nations. The Board expressed serious concern at the Institute's continued precarious financial situation and the implications of that situation for the existence of the Institute. There was unanimous agreement that the current situation was unacceptable and unsustainable.

During its sixty-first session, in March, the Board agreed to engage, along with the Director, in a comprehensive analysis of the situation of UNIDIR and, thereafter, to present to the Secretary-General options for addressing the issues involved. To that end, the Board's subcommittee on UNIDIR engaged in intersessional work and met as a subcommittee during the sixty-second session.

Concerned by the gravity of the issues facing the Institute and recognizing the need for renewed efforts to address the difficult financial situation and the complex administrative and institutional issues that had arisen, the Board recommitted itself to its responsibilities as outlined in article 3 of the Statute of UNIDIR and made recommendations to ensure the effectiveness and continuity of the Institute's operations.

In this regard, the Board requested the Chair to work with the Director and the Secretariat on a comprehensive description of the issues in order to prepare, in consultation with the Director and the Secretariat, proposals to address the most immediate issues, inform the Board of the proposals and submit them to the Secretary-General for action. The Board also tasked the Chair with preparing, in consultation with the outgoing and incoming Director and the Secretariat, a comprehensive long-term sustainability road map for the Institute. It was agreed that the Board would remain seized of those issues until appropriate solutions had been found.

The Chair offered to the Secretary-General the Trustees' assistance in seeking a resolution to the current financial situation of UNIDIR. In this connection, the Board noted that a revised sustainable funding structure had already been prepared in response to the financial situation.

The Board concluded its deliberations by expressing its appreciation to the Director and the staff of UNIDIR for the outstanding work that they had accomplished under such difficult conditions.

I. Introduction

1. The Advisory Board on Disarmament Matters held its sixty-first session in New York from 5 to 7 March 2014 and its sixty-second session in Geneva from 2 to 4 July 2014. The present report is submitted pursuant to General Assembly resolution 38/183 O. The report of the Director of the United Nations Institute for Disarmament Research (UNIDIR), approved by the Advisory Board serving as its Board of Trustees, has been submitted in document A/69/176.

2. István Gyarmati (Hungary) presided over both sessions of the Board in 2014.

3. The present report summarizes the deliberations of the Board during the two sessions and the specific recommendations it conveyed to the Secretary-General.

II. Substantive discussions and recommendations

A. Disarmament and security implications of emerging technologies

4. At the request of the Secretary-General, the Advisory Board continued its in-depth discussion of the disarmament and security implications of emerging technologies. Members agreed to a comprehensive examination of technical and political elements surrounding emerging technologies of concern, including the potential development of autonomous weapons systems. "Food-for-thought" papers on the topic of emerging technologies were presented by the following members of the Board: Mely Caballero Anthony, Rut Diamint, Pervez Hoodbhoy and Vladimir Yermakov.

5. The Board recognized the complex and often controversial role played by technology in the field of disarmament and non-proliferation. It was agreed that the Board would examine the extent to which emerging technologies had hindered or facilitated the disarmament and international security agenda. Members noted that the exponential development of new technologies had outpaced arms control, creating a number of challenges to the disarmament agenda. It would be useful for the Board to explore these technologies with a view to including new innovations in technological verification.

6. Members of the Advisory Board acknowledged the acceptance of its recommendation that discussion of lethal autonomous weapons be pursued in the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects; the first discussions in the Convention had taken place in March 2014. They emphasized the importance of continuing these discussions and the need to consider important first steps such as definitions before moving forward. The Board also discussed the implications of autonomous weapons systems for international humanitarian and human rights law. The Board noted the challenge of the convergence or blurring of distinctions between chemical weapons and biological weapons or synthetic biology, as an emerging technology. The Board discussed the possibility that such dual control technology could present special challenges, including concerns in terms of international humanitarian and human rights law. The Board recognized the need to discuss the development and use of potentially unsafe systems. It noted, in this connection, the work of UNIDIR to

address these concerns through a project launched in 2014 on lethal autonomous robotics. The project brought together non-political experts to discuss the current and future states of technology as well as related legal and ethical questions.

7. In addressing cybersecurity, the Advisory Board took note of its close link to emerging technologies. The Board agreed that clarification was needed regarding its role in this area in view of work already undertaken by other bodies within the framework of the United Nations. In this regard, it was recommended that the work of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security be taken into account in future deliberations of the Board. There was general agreement that while the Board should avoid duplication of effort in the field of cybersecurity, this did not rule out the examination of aspects of that issue that had not yet been addressed by other bodies. Members of the Board believed that the challenges related to cybersecurity constituted global and cross-cutting issues that demanded global and cross-cutting responses.

8. In assessing the issue of emerging technologies, the Board emphasized that it was important to recognize that no single technology had dominated the discussion and that many trends in different fields were converging. It noted, for example, relevant developments in the field of biotechnology, and unmanned aerial vehicles that could be used by actors of concern as delivery vehicles for weapons of mass destruction.

9. **The Board made the following recommendations:**

(a) **With respect to unmanned aerial vehicles, commonly known as drones, the Secretary-General should commission a study to examine the distinction between armed/military drones and unarmed/peaceful/civilian drones, and such ideas as improving transparency in targeted unmanned aerial vehicle strikes as a confidence-building measure and developing a robust oversight and accountability mechanisms for targeted strikes outside active battlefields. The proposed study should also consider international humanitarian law and how relevant principles such as distinction, proportionality and military necessity should be applied, with a view to avoiding excessive injurious or indiscriminate effects;**

(b) **The Secretary-General should consider including in the above-mentioned study a broader range of emerging technologies that might have an impact on international security and the arms control process, including in the field of outer space;**

(c) **The Secretary-General should encourage international and regional organizations to engage in and discuss more actively the complex issue of emerging technologies;**

(d) **The Secretary-General should encourage Member States to take into account their responsibility and obligation to the wider international community when using emerging technologies, given the absence of international regulation in that field. In this connection, he should encourage States to develop and implement inter-State transparency and confidence-building measures with regard to emerging technologies.**

B. Verification, with a special focus on new verification technologies

10. At its sixty-first and sixty-second sessions, held in New York and Geneva in March and July 2014, respectively, the Advisory Board exchanged views on the important role of new technologies in verification activities. During the sessions, "food-for-thought" papers on verification were presented by the following members of the Board: Rut Diamint, Sung-joo Choi and Vladimir Yermakov.

11. Members of the Advisory Board concluded that verification remained a critical element of the negotiation and implementation of arms limitation and disarmament agreements. The Board also concluded that verification, transparency and confidence-building measures were important elements in the context of regional disarmament and non-proliferation agreements.

12. The Advisory Board considered the Sixteen Verification Principles, adopted by consensus in 1988 by the Disarmament Commission and later endorsed by the General Assembly. It concluded that the Principles remained valid and invaluable as a framework for considering the appropriateness and feasibility of new verification technologies, whether applied to existing or future agreements.

13. With regard to nuclear disarmament verification, the Advisory Board noted precedents for nuclear warhead dismantlement verification that could serve as a foundation for future verification. It recognized, however, that many verification challenges remained in the area of warhead dismantlement that would make it difficult at present to completely verify States' declarations. The Board took note of work on the development of practical inspection systems that had met with the satisfaction of the inspecting parties and guaranteed to host States that sensitive information would not be leaked. In this regard, it noted that the initiative of Norway and the United Kingdom of Great Britain and Northern Ireland had broken new ground in demonstrating cooperation between nuclear-weapon and non-nuclear-weapon States.

14. The Advisory Board discussed the potential for new monitoring capabilities such as real-time video and crowd sourcing, but acknowledged potential challenges such as data validation and the meeting of evidentiary and legal standards.

15. The Advisory Board agreed that while verification and its associated technologies were an indispensable element for achieving the goals of disarmament, they could not by themselves address the difficult challenges posed by the proliferation of weapons of mass destruction. Effective verification should include a balance between technology and diplomacy, voluntary cooperation among the countries concerned, and a strong sense of ownership within multilateral verification organizations. One Board member cited, as an example, the high degree of cooperation between the Russian Federation and the United States of America at the technical level involving the sharing of critical information needed to ensure that their bilateral arms limitation agreements were being implemented as required.

16. The Advisory Board also agreed that verification approaches and methods should serve the specific purposes and objectives of the specific conventions for which they had been designed. Most Board members acknowledged the high costs involved in verification and agreed that it should be implemented in a cost-effective manner. A member cautioned that verification should not be abused for extraneous

purposes and that the national security concerns of States should be taken into account in the design of verification systems.

17. In addition, it was agreed that verification approaches and methods could be enhanced by the recent lessons learned in Ukraine, where the extensive use of inspection regimes based on the Vienna Documents of the Organization for Security and Cooperation in Europe (OSCE) had been complemented by observation flights under the international Treaty on Open Skies.

18. The Board acknowledged the challenges posed by the rapid development of science and technologies, including the intangible knowledge transfer that had allowed the development and production of weapons of mass destruction that were undetectable through traditional verification procedures.

19. **The Board made the following recommendations:**

(a) **The Secretary-General should use his authority to promote the importance of developing new verification technologies for the non-proliferation of weapons of mass destruction. In this connection, he should encourage States to share verification technologies with respect to the disarmament of weapons of mass destruction, as long as appropriate mechanisms are put in place;**

(b) **The Secretary-General should encourage all Member States, in appropriate circumstances and with the necessary safeguards in place, to voluntarily share with multilateral organizations information derived from national technical means in order to enhance verification. The multilateral organizations should ensure that the confidentiality of such information is protected when requested and ensure that the information is corroborated, where possible, using other sources of information; information derived from national technical means remains only supplementary to information from multilateral sources;**

(c) **The Secretary-General should make further efforts to foster more active and constructive interaction and cooperation among existing organizations based on extensive verification regimes (especially those of the International Atomic Energy Agency, the Organization for Security and Cooperation in Europe, the Organization for the Prohibition of Chemical Weapons and the Comprehensive Nuclear-Test-Ban Treaty Organization) through information- and experience-sharing to maximize synergy in the conduct of verification activities;**

(d) **The Secretary-General should consider convening a meeting of the relevant organizations to discuss cooperation;**

(e) **Given the urgent need for capacity-building to ensure that verification procedures were fully implemented, the Secretary-General should encourage Member States with the required means to assist other States, in particular developing countries, with capacity-building in the areas of monitoring and verification;**

(f) **The Panel of Government Experts on verification in all its aspects, including the role of the United Nations in the field of verification, was last convened in 2006. Given a decade of rapid technological developments in the field of verification, notably remote sensing, communications and information**

technology, it is an opportune time to establish a new panel. Therefore, the Secretary-General should convene a new panel of experts on verification with a focus on the role of new verification technologies.

III. Presentations by civil society/non-governmental organizations

20. As is customary, the Board heard presentations on issues pertaining to its agenda by representatives of non-governmental organizations and individual experts. At its sixty-first session, the following representatives and experts provided briefings to the Board: David Keir, Programme Director — Verification and Monitoring at the Verification Research, Training and Information Centre (VERTIC); Alexander Glaser, Assistant Professor at the Woodrow Wilson School of Public and International Affairs and the Department of Mechanical and Aerospace Engineering at Princeton University; and Peter Asaro, Director of Graduate Programmes in Media Studies at the New School for Public Engagement. Additionally, Mark Gubrud, a physicist and independent expert on emerging technology and human security, briefed the Board on emerging technologies.

21. At its sixty-second session, the Board heard a presentation on emerging technologies by Maya Brehm of the Campaign to Stop Killer Robots, an international coalition of non-governmental organizations working to ban fully autonomous weapons.

IV. Board of Trustees of the United Nations Institute for Disarmament Research

22. At its sixty-first and sixty-second sessions, the Advisory Board, serving as the Board of Trustees of UNIDIR, had a long and substantive discussion on the situation of the Institute. At both sessions, the Director of UNIDIR, Theresa Hitchens, gave comprehensive accounts of the current status of UNIDIR and of its programme of work. The Director provided details of the Institute's chronic budgetary situation and the negative impact it had had on the work of UNIDIR. The Director addressed the severe difficulties she had experienced in securing sustainable funding for the Institute and some of the administrative problems resulting from its relationship with the United Nations that had rendered fundraising problematic. The Board expressed serious concern at the continued precarious financial situation of UNIDIR, which had continued over a long period, potentially threatening its very existence. There was unanimous agreement that the current situation was unacceptable and unsustainable.

23. The Board underlined that UNIDIR had provided distinguished service to the United Nations and the international community in the field of disarmament research. It deserved to be supported in a manner that truly reflected this contribution.

24. Trustees emphasized that they were also very concerned at the fact that UNIDIR had had administrative burdens imposed on it by the United Nations without necessarily receiving equivalent benefits or services in return. The Board believed that the inflexible administrative and financial regulations had made it difficult for UNIDIR to obtain and use financial contributions.

25. The Chair offered to the Secretary-General the Trustees' assistance in seeking a resolution to the current financial situation of UNIDIR with a view to ensuring its continuing existence and services for many years to come. The Director noted that the Institute had already prepared a revised sustainable funding structure based on the paper submitted to the Board and the Deputy Secretary-General in 2013.

26. During its sixty-first session, in March, the Board agreed to engage, along with the Director, in a serious analysis of the situation of UNIDIR, including the funding crisis, administrative issues and institutional processes. The Board also agreed to present to the Secretary-General a number of options for addressing those issues. To that end, the Board's subcommittee on UNIDIR, consisting of Mr. Gyarmati (Chair), Mr. Yermakov, Wael al-Assad, Fred Tanner and Ms. Caballero Anthony, engaged in intersessional work on the above-mentioned issues and met as a subcommittee during the sixty-second session of the Board.

27. During its sixty-second session, the Board heard the report of the Chair of the UNIDIR subcommittee on the question of the administrative oversight of the Director. The Trustees decided to work with UNIDIR to seek a solution over the next six months.

28. The Board heard the reports of the Chair of the subcommittee and the Director of UNIDIR and expressed concern at the gravity of the long-standing, intractable issues facing the Institute. Given that the Institute was now in a period of transition, the Trustees believed that it was critical to renew efforts to address the difficult financial situation and the complex administrative and institutional issues that had arisen. The Board therefore recommitted itself to its responsibilities as outlined in article 3 of the statute of UNIDIR, specifically, making appropriate recommendations with a view to ensuring the effectiveness of the Institute's operations and their continuity.

29. In this regard, the Board tasked the Chair with:

(a) Preparing, in cooperation with the Director and the Secretariat, a detailed and comprehensive description of the issues at hand, providing the Board with the results, and informing the Secretary-General;

(b) Preparing, in consultation with the Director and the Secretariat, proposals to address the most immediate issues, informing the Board, and submitting the proposals to the Secretary-General for action;

(c) Preparing, in consultation with the outgoing and incoming Directors and the Secretariat, a comprehensive road map to address the long-term sustainability of the Institute;

(d) Remaining seized of those issues until appropriate solutions have been found, including, as provided in article III, paragraph 2 (e), of the statute of UNIDIR, taking such other decisions as are deemed necessary for the effective functioning of the Institute.

30. The Board approved the workplan and budget of UNIDIR for the period 2014-2015 as well as the Director's report to the General Assembly on the activities and financial status of the Institute. The Board expressed its appreciation to the Director and the staff of UNIDIR for the excellent work that they had accomplished under very difficult circumstances. The Board expressed its wholehearted gratitude to the

departing Director, Theresa Hitchens, wishing her well in her professional and private life.

V. Future work

31. The members of the Advisory Board exchanged views on a number of possible topics for discussion at its 2015 sessions. Possible areas of future work included looking into the possible role of arms control in conflict prevention and management and in post-conflict situations and an examination of the humanitarian effects of the use of nuclear weapons. Other possible areas of future work included examining topics such as the strengthening of multilateral norms on the disarmament and non-proliferation of weapons of mass destruction; emerging conventional weapons and their impact on international security; and asymmetric conflicts and new challenges to disarmament.

VI. Conclusion

32. During its two sessions in 2014, the Advisory Board concluded deliberations on the two items on its agenda: disarmament and security implications of emerging technologies; and verification, with a special focus on new verification technologies. It provided a set of recommendations to the Secretary-General on each of those items. Serving as the Board of Trustees of UNIDIR, the Board reviewed the research activities of the Institute, focusing on serious ongoing administrative and funding challenges. The Board completed the selection process for the appointment of a new Director of the Institute and submitted its recommendation to the Secretary-General.

Annex

Members of the Advisory Board on Disarmament Matters

István Gyarmati (Chair)
Ambassador, Professor
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Head of the International Centre for Democratic Transition
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Ambassador, Senior Adviser to the Secretary-General of the Organization for Security and Cooperation in Europe/Liaison, Swiss chairmanship of the Organization for Security and Cooperation in Europe, 2014
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[a] Participated in the sixty-second session of the Board.

United Nations A/69/209

General Assembly

Distr.: General
30 July 2014

Original: English

Sixty-ninth session
Item 108 of the provisional agenda*
Measures to eliminate international terrorism

Measures to eliminate international terrorism

Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraph 8 of General Assembly resolution 50/53, as read together with Assembly resolution 68/119 on measures to eliminate international terrorism. In sections II.A and B, the report contains information on measures taken at the national and international levels, based on submissions from Governments and international organizations. Section III contains a list of international legal instruments. Section IV provide information on workshops and training courses on combating crimes connected with international terrorism.

* A/69/150.

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 50/53, as read together with resolution 68/119.

2. The attention of all States was drawn to General Assembly resolution 49/60 and the Declaration on Measures to Eliminate International Terrorism annexed thereto, and they were requested to submit, by 30 May 2014, information on the implementation of paragraph 10 (a) of the Declaration. Section II.A below contains a summary of the replies received.

3. Relevant specialized agencies and other relevant international organizations were also invited to submit, by 30 May 2014, information or other pertinent material on the implementation of paragraph 10 (a) of the Declaration. Section II.B below contains a summary of the replies received.

4. The summaries of the replies focus on matters referred to in paragraphs 10 (a) and (b) of the Declaration, namely: (a) collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing; and (b) national laws and regulations on counter-terrorism.

II. Measures taken at the national and international levels regarding the prevention and suppression of international terrorism and information on incidents caused by international terrorism

A. Information received from Member States

Austria

5. The Government of Austria reiterated the information contained in a previous report of the Secretary-General on measures to eliminate international terrorism (A/67/162, paras. 5-8). Moreover, following improvements to its system for countering money-laundering and the financing of terrorism, including amendments to its Penal Code in relation to the financing of terrorism, the increase made in July 2013 in the term of imprisonment and remedial action for the insufficient coverage of individual terrorists, Austria had been removed from the Financial Action Task Force's regular follow-up process in February 2014.

Colombia

6. The Government of Colombia provided information on its most recently concluded multilateral, regional and bilateral counter-terrorism agreements. In addition to those signed prior to 2013, which included an inter-agency cooperation agreement signed in 2012 between the national police and the Office of the Attorney General of Mexico on countering transnational organized crime, with an emphasis on terrorism, the following agreements had been signed in 2013: (a) an agreement between the Director-General of the national police and the Civil Guard of Spain on collaboration and mutual support on police matters, with a view to ensuring smooth

and continuous cooperation in that area; and (b) an agreement on maritime cooperation between the Ministry of Defence and the Ministry of Defence of Guatemala to ensure continued maritime cooperation between the two countries. In addition, over the previous three years, Colombia had signed two cooperation agreements with the Bogotá office of the United Nations Office on Drugs and Crime (UNODC) on promoting efforts to prevent and combat terrorism within Colombia and in the region. Colombia highlighted in that context the establishment of an inter-agency committee on preventing and combating terrorism, terrorist financing and related serious crimes, as well as the development of a technical tool for simulating criminal investigations into terrorism, the financing of terrorism, money-laundering and extortion.

7. The penal regime in Colombia for addressing terrorism had established a national terrorism prosecution unit, which operated under the policy framework of the Colombian Penal Code, established by Act No. 599 of 2000, and the Code of Criminal Procedure, established by Act No. 600 of 2000 and Act No. 906 of 2004.

8. Colombia had issued two new policies against money-laundering and the financing of terrorism in 2013: document No. 3793, issued on 18 December 2013, the aim of which was to enhance the effectiveness of efforts to prevent, detect, investigate and prosecute money-laundering and the financing of terrorism in order to achieve greater success in dismantling unlawful organizations; and Act No. 1708, approved on 20 January 2014, which was aimed at promulgating the Asset Forfeiture Code and unifying existing legislation on the mechanism for seizing property that had been acquired illegally or used in the commission of unlawful acts.

9. During 2012 and 2013, 19 convictions for acts of terrorism or acts related to terrorist activities had been handed down. Colombia also provided information on three recent counter-terrorism cases that demonstrated the national resolve to tackle indiscriminate attacks by criminal organizations operating in the country and the decisive action taken to investigate and convict those responsible in order to prevent further attacks on civilians. In addition, those cases demonstrated the importance of areas such as intelligence and international cooperation to prevent attacks and to prosecute the perpetrators, wherever they might hide.

10. Between 2005 and 2013, Colombia trained 17,352 individuals from 47 countries in various areas of cooperation, in particular those related to countering the world drug problem, preventing and controlling criminal phenomena, strengthening military and police expertise, enhancing public security and ensuring organizational development. During 2012, security training had been provided to 3,362 individuals from 25 countries, including Argentina, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama and Peru. Similarly, in 2013, training had been provided to 7,627 officers from 36 countries, including El Salvador, Guatemala, Honduras and Panama.

Cuba

11. The Government of Cuba updated the information contained in paragraph 12 of the previous report of the Secretary-General on measures to counter international terrorism (A/68/180), reporting that it was now a party to 16 universal counter-terrorism instruments. It had ratified the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation on 22 March 2013 and the Amendment

to the Convention on the Physical Protection of Nuclear Material on 16 September 2013.

12. Furthermore, Cuba set out new measures that it had implemented during the reporting period. Resolution 51/2013 of the Central Bank of Cuba had been published in the Official Gazette on 7 June 2013 and instructions 26/2013, 26bis/2013 and 31/2013 had been promulgated by the Superintendent of the Central Bank of Cuba to regulate the obligations of financial institutions and the freezing of funds linked to the financing of terrorism and the proliferation of weapons of mass destruction. The Cuban Penal Code and Act No. 93 (the Counter-Terrorism Act), had been amended by Decree-Law No. 316 of 7 December 2013. Among other major amendments, under that Decree-Law, adjustments had been made to the definition of criminal offences relating to terrorist acts committed using nuclear or radioactive material or ionizing substances and the range of offences that constituted money-laundering had been broadened, in line with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Transnational Organized Crime. With respect to Act No. 93, the Decree-Law also contained details of certain elements of the crime of financing of terrorism. The new law had come into effect on 19 December 2013. Decree-Law No. 317, on the prevention and detection of transactions related to money-laundering, the financing of terrorism, arms proliferation and illicit capital flows, had also been signed. That law raised the legal status of existing provisions on the identification and immediate freezing of assets linked to terrorist individuals or entities, pursuant to the relevant Security Council resolutions.

13. Cuba reported that the Financial Transactions Investigations Directorate, which handled the freezing of accounts with financial institutions in the case of specific illegal acts, had received 214 suspicious transaction reports in 2013 and 44 such reports in the first quarter of 2014; of those, 123 had been forwarded to the competent authorities as potential offences.

14. On the topic of judicial and executive cooperation with other countries and with the International Criminal Police Organization (INTERPOL), Cuba reiterated the information contained in paragraph 14 of A/68/180 and paragraph 11 of A/67/162. On the topic of nuclear, biological and chemical weapons, and the unilateral compilation by the United States of America of a list of alleged State sponsors of terrorism, Cuba also reiterated its views set out in paragraph 15 of A/68/180, paragraph 12 of A/67/162 and paragraph 17 of A/66/96.

15. Cuba further reiterated information contained in paragraph 14 of A/68/180. On 15 April 2014, its Ministry of Foreign Affairs had signed resolution 85/2014, concerning cooperation among States and relations between the Security Council and national entities for the prevention and suppression of money-laundering, the financing of terrorism, arms proliferation and illicit capital flows. Cuba had played an active role in and had given support to statements on counter-terrorism made by regional groups (the Community of Latin American and Caribbean States, the Caribbean Community and the Bolivarian Alliance for the Peoples of Our America) and the Movement of Non-Aligned Countries. It also restated information contained in paragraphs 17-19 of A/66/96, paragraphs 10-11 of A/67/162 and paragraph 13 of A/68/180.

El Salvador

16. The Government of El Salvador reported that it was a party to most regional and international treaties relating to terrorism, as it deemed it particularly important to have the necessary legal instruments in place to be able to effectively prevent, investigate and punish acts of international terrorism, in accordance with the requirements of the rule of law. It indicated that a coherent legal framework to address terrorism was encapsulated in its Special Law against Terrorist Acts of 2006, which provided for the appropriate legal instruments and trained personnel to deal with any international terrorist incident that might occur.

17. El Salvador noted that its Attorney General had been appointed Deputy Chair of the Caribbean Financial Action Task Force for the period November 2013 to November 2014. It indicated that it was working and cooperating with other States to combat money-laundering effectively, which, inter alia, allowed a joint response to the problem of terrorist financing and to the strengthening of procedures to identify and freeze assets linked to that crime. No acts of international terrorism had been recorded within Salvadorian territory.

Finland

18. The Government of Finland reported that an updated version of its counter-terrorism strategy had been adopted in March 2014. The main objective of the strategy was to prevent terrorist activities within Finland and beyond national borders and to prepare for threats abroad to which Finns might be exposed. Counter-terrorism activities in Finland were based on close cooperation with all relevant authorities and actors within Finnish society. Finland also highlighted its active participation in counter-terrorism work in the framework of the United Nations, the European Union, the Council of Europe and the Organization for Security and Cooperation in Europe. The Finnish Security Intelligence Service was a member of the Counter Terrorism Working Group, under the auspices of the European Police Office (Europol), and the counter-terrorism working group of the European police units responsible for combating terrorism (the Police Working Group on Terrorism). Finland was also a member of the Financial Action Task Force, which, in June 2013, had recognized that Finland had made significant progress in improving its framework to counter money-laundering and the financing of terrorism and had consequently removed it from its regular follow-up process.

19. The new Police Act (872/2011) and Coercive Measures Act (806/2011) of Finland had entered into force on 1 January 2014; the latter Act covered new forms of covert coercive measures for use by criminal investigation authorities, including investigations concerning terrorist offences. The report of the working group set up by the Ministry of Justice dealing with questions related to the provisions of the Penal Code relating to terrorist offences had been sent to the relevant authorities for comments in January 2013. A Government proposal (18/2014) had been drafted and delivered to Parliament in April 2014. The proposal included the potential expansion of the scope of the criminalization of the financing of terrorism and of the criminalization of receiving training for terrorism, which would amend chapter 34 (a) of the Penal Code. The proposed punishment for receiving training for terrorism ranged from fines to imprisonment for up to three years.

20. Finland also provided updated information on the first pretrial investigation into terrorism-related offences carried out in the country (see A/68/180, para. 17,

and A/67/162, para. 17), noting that the consideration of charges had begun in early 2014. Finland also provided information on the legal framework surrounding the preconditions for the entry of aliens into Finland, as connected to counter-terrorism issues, in particular that an alien should not be deemed to jeopardize public order and safety: participation in terrorist activities and support thereof, and membership of a terrorist organization, including suspicion thereof, were grounds for such a finding.

Haiti

21. The Government of Haiti submitted the text of two national laws addressing money-laundering and the financing of terrorism, dated 21 February 2001 and 11 November 2013.

Hungary

22. The Government of Hungary reiterated the information on its participation in universal and regional counter-terrorism instruments contained in A/67/162 (paras. 18-19) and confirmed that the new Criminal Code (Act C of 2012 on the Criminal Code) had entered into force on 1 July 2013. Hungary also reiterated that it maintained several bilateral agreements related to counter-terrorism, organized crime and trafficking in drugs (see A/68/180, para. 22) and indicated that it had concluded additional agreements with Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden and Switzerland. Hungary further reiterated the information set out in paragraph 23 of A/68/180.

23. Hungary reiterated the information contained in paragraph 24 of A/67/162 and noted that the two Hungarian citizens had been freed in June 2013, without the payment of a ransom, after being kept by various armed groups in the border region between Iraq and the Syrian Arab Republic for more than a year.

Jordan

24. The Government of Jordan provided a list of the various counter-terrorism instruments to which it had acceded, which included nine universal counter-terrorism instruments, five regional instruments and three bilateral instruments. It stressed the importance that it attached to all forms of cooperation and exchange of information, and noted that such practices had enabled it to increase the effectiveness of its security agencies' efforts to counter terrorist organizations and to prevent their expansion abroad, to suppress such organizations and to limit their members' movements.

25. The Penal Code (2001) of Jordan had been amended to include more severe penalties for any act of terrorism. Under Law No. 8 (2011), the Penal Code had been amended to make it a criminal act for any person to leave Jordan for the purpose of joining armed groups or terrorist organizations, or to recruit and train individuals inside Jordan or abroad for the purpose of joining such groups or organizations. The Counter-Terrorism Law had been promulgated in 2006 with the aim of, among others, countering the financing of terrorism and the recruitment of terrorists. One aspect of the law authorized the public prosecutor, upon receipt of reliable information connecting an individual to terrorist activities, to order the monitoring of that individual's residence, movements and communications, to prohibit him or her from travelling and to order the search of his or her residence, the confiscation

of any item related to terrorist activities and the temporary seizure of any funds suspected of being connected to terrorist activities. All of those actions should be carried out under the supervision of the judicial authorities and could be appealed against before the courts. The Counter-Terrorism Law had been amended in 2014 and the definition of terrorism, as set out in Law No. 55 (2006), had been amended so as to ensure that it was compatible with new criminal legislation and that it was more comprehensive.

26. The Countering the Financing of Terrorism Law had been promulgated in 2007. It had been amended in 2010 and renamed the Anti-Money Laundering and Countering the Financing of Terrorism Law. The Law, inter alia, was aimed at promoting cooperation between the Jordanian judicial authorities and foreign judicial authorities, particularly with regard to assistance, letters rogatory, the extradition of wanted or convicted persons and requests from foreign authorities concerning the tracing, freezing or seizure of funds connected to the financing of terrorism or derived therefrom. With regard to border controls, Law No. 20 (1998), on customs in Jordan, conferred judicial police powers upon customs officers, with a view to facilitating investigations and countering smuggling. Under the amended Penal Code (2011), any person entering or exiting Jordan illegally, or helping another person to do so, should be imprisoned for a period of no less than three months.

27. Jordan continued to implement its obligations under the sanctions regimes imposed by the Security Council, and its National Committee to Combat Money-Laundering and the Financing of Terrorism had issued a set of instructions to relevant institutions. Jordanian national institutions also played a vital role in suppressing the funding of terrorism. Work had begun on amending the instructions concerning money-laundering and the financing of terrorism to bring them into line with the amendments made to the recommendations of the Financial Action Task Force.

28. Jordan reiterated the information set out in paragraphs 33-35 of A/68/180, with regard to the role of several competent Jordanian authorities focused on eliminating terrorism at the national level. In addition, Jordan set out the role of its customs authorities in countering terrorism, including through the inspection of travellers, means of transport and goods entering from all over the world at border posts located at the country's various land, sea and air entry and exit points. Those activities were conducted in accordance with the relevant Security Council resolutions. Jordan reported on its dispatch of officials trained in counter-terrorism to border posts and its provision of all posts with the equipment needed to detect any substances that might be employed in the manufacture of dangerous items.

29. Jordan also highlighted a number of international and regional initiatives focused on awareness-raising and countering extremism that it had launched. They included World Interfaith Harmony Week, proclaimed by the General Assembly and held during the first week of February every year, and the Amman Message, an initiative about Islam. Since 2008, Jordan had assigned great importance to the rehabilitation of extremists and had launched a programme in that regard.

Mexico

30. The Government of Mexico underscored the important role of international and regional cooperation in countering terrorism, emphasizing the need to respect human rights while undertaking such cooperation.

31. On the legislative front, since 2013, the general provisions on countering terrorism financing and money-laundering had been applied to foreign exchange bureaux, money remitters, insurers and credit and guarantee institutions; since March 2014, the offence of terrorism under the Federal Penal Code had included the contribution or collection of economic funds or resources of any type intended to finance or support terrorist activities.

32. Mexico, seeking to establish and strengthen its counter-terrorism and risk-prevention capacities, had held national and regional capacity-building workshops and workshops on best practices in border and customs control, tourism security, protection of critical infrastructure, cybersecurity, major events security and emergency response. Assistance had been provided by relevant regional and United Nations agencies and bodies.

Norway

33. The Government of Norway reported that it had ratified the International Convention for the Suppression of Acts of Nuclear Terrorism on 20 February 2014. In June 2013, Norway had amended its General Civil Penal Code of 1902 to criminalize the preparation of terrorism, receiving terrorist training and participation in terrorist organizations.

Paraguay

34. The Government of Paraguay reiterated the information contained in paragraph 71 of A/66/96, and indicated that it was a signatory to the following international and regional conventions to combat terrorism and its financing: International Convention for the Suppression of the Financing of Terrorism; International Convention for the Suppression of Acts of Nuclear Terrorism; International Convention for the Suppression of Terrorist Bombings; Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance; Inter-American Convention against Terrorism; joint communiqué of the Presidents of the Rio Group on combating terrorism adopted at the XVIII Summit of the Rio Group; and Memorandum of Understanding among the Governments of the States of the Financial Action Task Force of South America against Money-Laundering.

35. Paraguay described forums for international cooperation within which it collaborated. Its Secretariat for the Prevention of the Laundering of Money and Property was part of the Egmont Group of Financial Intelligence Units, which had been established in 1995 with the aim of stimulating international cooperation, particularly in the areas of information exchange, training and the sharing of expertise. As part of its international cooperation, that Secretariat used the Egmont Secure Web system to request information on money-laundering and the financing of terrorism, as well as in relation to the freezing of assets. Paraguay also indicated that it was a founding member of the Financial Action Task Force of South America against Money-Laundering, a regional intergovernmental organization bringing

together 12 countries from South America, Central America and North America to combat money-laundering and the financing of terrorism by means of a commitment to the continuous improvement of national policies in relation to both issues, and the enhancement of different cooperation mechanisms among its member countries. It was a regional group belonging to the international network of organizations dedicated to preventing and combating money-laundering and the financing of terrorism. At the core of the network was the Financial Action Task Force, whose secretariat was located within the headquarters of the Organization for Economic Cooperation and Development in Paris. The Financial Action Task Force had issued the Forty Recommendations, which all its member countries were required to implement through their national legislation.

36. Paraguay set out the details of its inter-institutional cooperation and the security of the interconnected information system on counter-terrorism. Any requests received by the Secretariat for the Prevention of the Laundering of Money and Property from public entities were entered into a database as a suspicious transaction report and were therefore handled in the same way as a suspicious transaction report received from a reporting entity. That Secretariat provided training on the prevention of money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction to both reporting entities and other State entities. Technical support was also provided to other State entities.

37. Paraguay provided information on its national acts, decrees, resolutions and circulars focused on counter-terrorism measures. The national strategic plan to combat money-laundering, the financing of terrorism and the financing of proliferation of weapons of mass destruction had been launched on 11 June 2013. The plan was essentially technical in nature, with characteristics and particular strengths in line with the most recent and up-to-date amendments to the relevant international standards, such as the revised Forty Recommendations adopted by the Financial Action Task Force. It had cross-cutting objectives affecting the whole national system and relating to combating money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction. The plan had four components (prevention, detection and intelligence, investigation and prosecution, and cross-cutting aspects), and was divided into 22 strategic objectives.

Russian Federation

38. The Government of the Russian Federation indicated that the basis for its counter-terrorism activities remained Federal Law No. 35-FZ of 6 March 2006 and Presidential Decree 116 of 15 February 2006, which had led to the adoption of over 20 federal laws, 16 presidential decrees, 39 government decisions and approximately 50 interdepartmental and departmental legislative acts. In 2012, Federal Law No. 35-FZ had been amended; a presidential decree on establishing the level of terrorist threat in order to further ensure the security of the individual, society and the State had been issued; and government decisions on protecting the fuel-energy complex against terrorism had been made. In 2013, Federal Law 302-FZ of 2 November added an article (205.3) to the Criminal Code, under which the undergoing of training to commit terrorist acts was criminalized, in order to implement into domestic law article 7 of the Council of Europe Convention on the Prevention of Terrorism; Federal Law 180-FZ of 2 July amended Russian legislation to allow restrictions to be placed on individuals founding, participating in or

becoming members of religious organizations, in order to eliminate the incitement of extremist activity on the part of religious organizations; and Federal Law 398-FZ of 28 December amended the Federal Law on information, information technology and protection of information, with the aim of better protecting society from unlawful information disseminated via information and telecommunications networks, including the Internet.

39. As per Federal Law 115-FZ of 7 August 2001, the Federal Financial Monitoring Service (Rosfinmonitoring) continued to request customer and transaction details from financial institutions as part of its focus on money-laundering and the financing of terrorism as the basis for freezing the assets of terrorism suspects. It maintained a list of natural and legal persons suspected of involvement in extremist or terrorist activity that included 80 organizations and 364 individuals, 53 terrorist and extremist organizations that had been banned from operating by decisions of the Supreme Court, and over 2,500 individuals charged with criminal offences under the relevant articles. In 2013, Rosfinmonitoring received over 900 asset-freeze notices relating to names on the list. In 2013, Rosfinmonitoring had concluded cooperation agreements on the countering of money-laundering and the financing of terrorism with the financial intelligence units of Cuba, Fiji, Mali, Poland, Saudi Arabia, Slovakia and Uzbekistan and memorandums of understanding with the authorities of Japan and Senegal.

40. In 2013, the judicial branch in the Russian Federation had examined 215 terrorism-related criminal cases concerning 302 individuals (compared with 231 terrorism-related criminal cases concerning 312 individuals in 2012). Of that number, 31 had been prosecuted under article 205 (terrorist acts) of the Criminal Code. The courts had deemed 34 organizations to be extremist and 20 organizations to be terrorist, and had banned them from operating in the Russian Federation. They included Nurcular, Al-Takfir wal-Hijra and Tablighi Jamaat. In 2013, the Office of the Prosecutor General of the Russian Federation had signed 7 international cooperation agreements (compared with 10 in 2012) on combating organized crime and terrorism with the authorities of Belgium, the Czech Republic, Israel, Mauritius, Panama, Spain and the State of Palestine.

41. In 2013, the Russian Federation stated that it had destroyed 530 hiding places and bases for fighters, defused 314 improvised explosive devices and discovered over 250 kilograms of explosives, over 1,200 firearms, about 9,000 rounds and grenades and over 183,000 units of ammunition of various calibres. The security and police services had disrupted and halted the activities of over 100 adherents of terrorist groups, including the Islamic Party of Turkestan, the Islamic Jihad, Jama'at-ul-Mujahideen, Hizb ut-Tahrir-al-Islami, Jabhat al-Nusra and the Muslim Brotherhood.

42. The Russian Federation highlighted several counter-terrorism exercises that it had conducted during the reporting period, including the Vigilant Skies exercise of the North Atlantic Treaty Organization (NATO)-Russia Council Cooperative Airspace Initiative and the "Ala-Too-Anti-Terror 2013" joint counter-terrorism exercise of the Commonwealth of Independent States. The Russian Federation also highlighted its continuing involvement in the Anti-Terrorism Centre of the Commonwealth of Independent States and the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization.

Slovenia

43. The Government of Slovenia reiterated the information contained in A/68/180, paragraphs 52 and 53. Slovenia also reported that it had taken part in the preparatory meetings for the annual working meeting of the Initiative for International Police Cooperation in the Field of Anti-Terrorist Activity, which involved Austria, Croatia, the Czech Republic, Slovenia and the western Balkan countries. Those meetings were also attended by representatives of the European Union Rule of Law Mission in Kosovo and of Europol.

44. During the reporting period, there had been no international terrorism-related incidents in Slovenia. Furthermore, Slovenia had not undertaken any prosecutions or imposed any penalties for acts of international terrorism.

Spain

45. The Government of Spain reported on bilateral agreements with Côte d'Ivoire, Panama, Qatar, the Republic of Moldova, Saudi Arabia and Uzbekistan on counter-terrorism that had been signed or had entered into force. Spain highlighted its financial contributions to the Terrorism Prevention Branch of UNODC and to the Counter-Terrorism Implementation Task Force. Spain also highlighted its financial contributions to and collaboration with the African Union with regard to its counter-terrorism activities.

46. Spain reported on national legislative endeavours during the reporting period in relation to protecting and assisting victims of terrorism: the amendment to Law 29/2011 of 22 September 2011, on recognition and comprehensive protection of victims of terrorism, which allowed for the consideration of certain improvements in the labour rights of victims of terrorism; the approval of the regulations for Law 29/2011 (Royal Decree 671/2013 of 6 of September 2013); the amendment of article 21 of Law 29/2011 by the 2014 General State Budget Act (Law 22/2013 of 23 December 2013) in order to expressly address subrogation of the holding of the right to credit and to enable the application of speedy administrative procedures for payment of the amount of assistance by the national Government as a result of the compensation awarded in a criminal sentence, in order to speed up the management for recovering the amounts paid; and the Amendment of the Consolidated Text of the General Social Security Act for the purpose of considering the demand for new requirements for obtaining prison release grants for released terrorists and released convicts who had not satisfied the civil liabilities arising from their criminal offences.

47. Spain also reported on the drafting of the "National strategic plan to combat violent radicalization: a framework for respect and mutual understanding", to be approved in 2014, within the framework of its Comprehensive Strategy to Combat International Terrorism and Radicalization. Spain highlighted the following noteworthy activities of its National Counterterrorism Coordination Centre: (a) the organization of a working group for legislative analysis on combating jihadist terrorism and radicalization; (b) the development of the Plan to Combat the Funding of Jihadist Terrorism; and (c) coordination of the project "Critical infrastructure: improvement of security control against the terrorist threat", which was aimed at improving the exchange of information between the authorities of European Union member States and the private sector in the area of protection from terrorism threats and online radicalization.

48. A seminar had been held in Madrid in 2013, within the framework of the European Commission Radicalization Awareness Network working group on victims of terrorism, on the participation of victims in the educational system to disseminate messages against terrorism in schools. On 17 and 18 September 2013, Spain had sponsored a workshop on counter-terrorism cooperation in the Mediterranean Basin, which had been held in Malaga in collaboration with France and Switzerland and co-organized by the Organization for Security and Cooperation in Europe (OSCE) and UNODC. Spain highlighted the adoption, in September 2013, by all States members of the Global Counter-Terrorism Forum, of the Memorandum on Good Practices for Assistance to Victims of Terrorism Immediately after the Attack and in Criminal Proceedings. Following the adoption of the Memorandum, a workshop had been held in Madrid in October 2013 on the role of religious scholars and other experts in deradicalization in prisons.

49. Spain reported that the number of arrests that had taken place in the country in 2013 for criminal offences of terrorism (both home-grown and international) was 90, which was a sharp rise compared with 2012, when there had been 38. That was a result of the effectiveness of police and judicial investigations and not of increased terrorist activity in Spain. That activity had comprised 33 actions in 2013, as opposed to 54 in 2012. No terrorist actions had been committed in Spain in connection with international groups. Spain additionally noted that there had been a sharp rise in the number of arrests in relation to terrorist activity, a total of 31 individuals, 20 of them linked to jihadism and the other 11 to international terrorist groups (the Kurdistan Workers Party (PKK) and Shining Path). In 2012, nine people had been arrested.

Sweden

50. The Government of Sweden reported that it was a party to 16 universal counter-terrorism instruments and to 17 Council of Europe counter-terrorism instruments. In 2012, the Scania and Blekinge Court of Appeal had acquitted a person charged with the crime of preparation for terrorism.

Syrian Arab Republic

51. The Government of the Syrian Arab Republic reiterated the information contained in paragraphs 73-76 of A/68/180. Furthermore, the Syrian Arab Republic reported that Legislative Decree No. 20 of 2013 criminalized abduction as a terrorist offence.

52. The Syrian Arab Republic stated that it had been subjected to terrorist crimes and attacks, some linked to Al-Qaida, including by the entities known as Al-Nusrah Front and Islamic State in Iraq and the Levant, which had been included on the list established and maintained by the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities. It noted that thousands of foreign terrorist fighters had come to the country from over 80 Member States, a phenomenon which must be addressed with effective measures. Action must be taken to prevent the use of the media and the Internet for incitement, for the recruitment, support or funding of terrorists and extremists and for the planning of terrorist operations. The Syrian Arab Republic called for increased cooperation, information exchange and effective collaboration to cut off the financing, supply and armament networks of terrorist groups.

B. Information received from international organizations

International Civil Aviation Organization

53. The International Civil Aviation Organization (ICAO) provided an updated list of the legal instruments that it had adopted, and the number of States parties to each instrument, as at 30 May 2014, which was as follows: 185 parties to the Convention on Offences and Certain Other Acts Committed on Board Aircraft; 185 parties to the Convention for the Suppression of Unlawful Seizure of Aircraft; 188 parties to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation; 173 parties to the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation; and 148 parties to the Convention on the Marking of Plastic Explosives for the Purpose of Detection. The Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft had been ratified or acceded to by eight and seven States, respectively. ICAO highlighted the 2014 adoption of the Protocol to amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft. The Protocol, inter alia, extended jurisdiction for offences committed on board civil aircraft to the State of landing and the State of the operator of the aircraft. As at 30 May 2014, 24 States had signed the Protocol.

54. ICAO reported that seven acts of unlawful interference with civil aviation had been recorded in 2013, including three involving attacks on aviation facilities. The Organization had disseminated an updated aviation security global Risk Context Statement that contained an analysis of global threats to civil aviation and had provided States with a methodology for the development of their own national risk assessments.

55. ICAO reported two regulatory changes made during the reporting period. The first mitigated the risk posed to air cargo and mail and to industry and airport personnel by terrorist threats. The second focused on strengthening measures for landside security at airports. Cooperation between ICAO and the relevant United Nations counter-terrorism bodies took the form of ICAO participation in missions conducted by the Counter-Terrorism Committee Executive Directorate or the provision, with the consent of the State concerned, of a brief summary of an aviation security audit.

56. ICAO reported on its Implementation Support and Development — Security Section, which provided assistance and capacity-building support to States in the area of aviation security. In the area of document security, at its 38th session, held in Montreal, Canada, in October 2013, the ICAO Assembly had endorsed the newly developed ICAO Traveller Identification Programme as a strategy for strengthening travel documents globally.

International Maritime Organization

57. The International Maritime Organization (IMO) reiterated the information contained in paragraphs 83 and 84 of A/68/180, and paragraph 50 of A/67/162, noting in particular the status of the instruments for which it acted as depositary. As at 10 May 2014, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation had 164 contracting States; the Protocol for the

Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf had 151 contracting States; the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation had 31 contracting States; and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf had 27 contracting States.

58. IMO also highlighted that, in order to assist States in developing and strengthening their capacities to ensure maritime security, it had conducted 78 country needs assessments and advisory missions and 102 national and 68 regional seminars, workshops or courses aimed at promoting greater understanding and implementation of the IMO maritime security measures that had resulted in the training of approximately 7,700 persons.

United Nations Office on Drugs and Crime

59. UNODC reiterated the nature of its assistance activities, as set out in paragraphs 88-91 of A/68/180. The Office had provided legislative assistance to 21 States, resulting in 23 new ratifications of international legal instruments and 16 new or revised pieces of counter-terrorism legislation. Capacity-building training had been provided to 2,127 national criminal justice officials through 86 workshops. The Office had continued its collation of specialized legal knowledge and tools, including in the area of assisting victims of acts of terrorism, and had developed a module on human rights in the criminal justice responses to terrorism and a module on transport-related (civil aviation and maritime) terrorism offences as part of its Counter-Terrorism Legal Training Curriculum.

International Atomic Energy Agency

60. The International Atomic Energy Agency (IAEA) provided information that, as at 30 May 2014, there were 149 parties to the Convention on the Physical Protection of Nuclear Material and 76 contracting States to the Amendment to the Convention on the Physical Protection of Nuclear Material. During 2013, 10 States had ratified, accepted or approved the Amendment. The Agency had also organized two workshops to promote adherence to and implementation of the instrument. Calls for all Member States to become parties to the Convention and to ratify, accept or approve its Amendment as soon as possible had been made by way of a ministerial declaration at the International Conference on Nuclear Security held in Vienna in July 2013, and by the General Conference at its 57th regular session, in its resolution (GC(57)/RES/10). In that resolution, the General Conference had also encouraged member States to become parties to the International Convention on the Suppression of Acts of Nuclear Terrorism as soon as possible.

Organization of American States

61. The Organization of American States (OAS) reported that the Inter-American Committee against Terrorism, created in 1999, was the primary body within the Inter-American system with the responsibility for the protection against terrorism. OAS also described the 12 capacity-building and technical assistance programmes of the Committee's secretariat, which were organized as five broad areas: border control, critical infrastructure protection, legislative assistance and combating terrorism financing, strengthening strategies on emerging terrorist threats (crisis

management), and international cooperation and partnerships. In 2013, 113 courses, seminars, consultations and technical assistance missions had been conducted for 4,181 participants.

62. A major focus of the Committee's cybersecurity efforts concerned, inter alia, the expansion and strengthening of public-private partnerships, and it had issued a number of reports and had conducted at least four workshops on mitigating vulnerable systems from cyberrisks. In 2013 in the area of maritime security, the Committee had concluded, inter alia, the Port Security Assistance Partnership Phase III. That phase of the Partnership had included projects on three main subprogrammes: port security assessments and follow-on training, crisis management exercises and best practice workshops. In 2013, three activities had been carried out under the Committee's Immigration and Customs Programme, including a specialized national workshop on immigration and customs controls that had been held in St. Kitts and Nevis in February.

63. In 2013, the Committee's Aviation Security Programme had worked to continue to assist member States in increasing their knowledge and ability to comply with the ICAO standards and recommended practices and other security methods. Under the Tourism Security Programme, relationships had continued to be developed with tourism security agencies around the region, creating a strong network of partners that included both public and private sector members. The Committee secretariat also conducted, inter alia, six training activities on tourism security in Antigua and Barbuda, Costa Rica, Dominica, Mexico and Peru. 2013 had marked the final year of the Committee's three-year project on capacity-building in travel document security and identity management in the Americas, under which capacity gap assessment missions on travel document security and identity management had been carried out. The major events programme had included, inter alia, a focus on gender equality and enhancing the role of women in major event security planning.

64. The Strengthening Strategies on Emerging Terrorist Threats Programme sought to strengthen the capacity of member States to respond to potential bio-terrorist threats. The programme had been implemented primarily through practical exercises and technical assistance missions to address specific issues and develop national response plans. Over the previous five years, the programme had provided critical training to over 1,000 government officials in over 30 member States. During 2013, 13 training activities had been held for more than 420 officials under the Committee's Legislative Assistance and Combating Terrorism Financing Programme. Also under that Programme, technical support had been provided for the drafting, and eventual passing, of counter-terrorism and counter-terrorism financing legislation in, for example, Panama, Peru and Suriname. OAS set out the main objective of the Committee's programme to implement Security Council resolution 1540 (2004), namely raising overall awareness and identifying the specific needs and challenges of member States with regard to the physical protection of and accounting for chemical, biological, radiological and nuclear materials related to the implementation of Security Council resolution 1540 (2004). Under the programme, inter alia, assistance activities had been carried out for Colombia, Mexico and Panama.

Organization for Security and Cooperation in Europe

65. OSCE stated that its role was to assist participating States, at their request and in close coordination with the United Nations and relevant specialized international organizations, in fulfilling their international obligations and their OSCE commitments to combating terrorism. It highlighted the 2012 OSCE Consolidated Framework for the Fight against Terrorism, in which the OSCE comprehensive approach to anti-terrorism was reiterated and strategic focus areas for OSCE counter-terrorism efforts were identified.

66. OSCE identified its strategic focus area of promoting the international legal framework against terrorism among participating States and partners for cooperation and the facilitation of cooperation in criminal matters. OSCE highlighted that another focus of its counter-terrorism efforts was assisting participating States in strengthening the security of travel documents and their issuance processes, in line with international standards.

67. OSCE had worked with government officials, counter-terrorism practitioners, researchers, civil society and the media to build up strategies, policies and good practices to prevent and counter the violent extremism and radicalization that led to terrorism, while upholding human rights and the rule of law. The Organization reported on the growing importance attached to countering the use of the Internet for terrorist purposes, and on its involvement of stakeholders from the private sector, the media and civil society in its anti-terrorism activities.

68. OSCE also reported on the activities of two of its subentities: the Office for Democratic Institutions and Human Rights, which was particularly active in the implementation of the United Nations Global Counter-Terrorism Strategy, in a manner consistent with respect for human rights and the rule of law; and the Office of the Coordinator of OSCE Economic and Environmental Activities, which was the focal point for coordinating the work of OSCE to combat money-laundering and the financing of terrorism. OSCE explained that the latter Office's work with participating States was guided by the 2003 OSCE Strategy Document for the Economic and Environmental Dimension and the 2012 OSCE Ministerial Council Declaration on Strengthening Good Governance and Combating Corruption, Money-Laundering and the Financing of Terrorism. OSCE reported that much of its work with regard to the financing of terrorism was in support of the Financial Action Task Force recommendations.

Organization for the Prohibition of Chemical Weapons

69. The Organization for the Prohibition of Chemical Weapons (OPCW) reported that, as at 20 May 2014, there were 190 States parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

70. OPCW identified the continuing contribution of its technical secretariat to counter-terrorism efforts, as per decision EC-XXVII/DEC.5 of 7 December 2001 of its Executive Council, and its cooperation with the United Nations. The Open-Ended Working Group on Terrorism, established by the above-mentioned decision, had continued to meet regularly during the reporting period. OPCW reiterated the outcomes of the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, as set out in paragraph 94 of A/68/180.

71. OPCW had also continued to verify the destruction of existing stockpiles of chemical weapons; to date nearly 82 per cent of all declared stockpiles had been eliminated. Since the Chemical Weapons Convention had entered into force, OPCW had also carried out more than 2,500 inspections at industrial facilities around the world. OPCW also highlighted its continuing operation, in a joint mission with the United Nations and with the support of several States parties, with regard to the Syrian chemical weapons stockpile.

III. Status of international legal instruments relating to the prevention and suppression of international terrorism

72. Currently, there are 41 instruments pertaining to international terrorism. Of those, 19 are universal (14 instruments and 5 recent amendments) and 22 are regional.

A. Universal instruments

United Nations

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973

International Convention against the Taking of Hostages, 1979

International Convention for the Suppression of Terrorist Bombings, 1997

International Convention for the Suppression of the Financing of Terrorism, 1999

International Convention for the Suppression of Acts of Nuclear Terrorism, 2005

International Atomic Energy Agency

Convention on the Physical Protection of Nuclear Material, 1979

Amendment to the Convention on the Physical Protection of Nuclear Material, 2005

International Civil Aviation Organization

Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963

Convention for the Suppression of Unlawful Seizure of Aircraft, 1970

Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft, 2010

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971

Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988

Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991

Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation, 2010

Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, 2014

International Maritime Organization

Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988

Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation

Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988

Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf

B. Regional instruments

African Union

Organization of African Unity Convention on the Prevention and Combating of Terrorism, 1999

Protocol of 2004 to the Convention on the Prevention and Combating of Terrorism

Association of Southeast Asian Nations

Association of Southeast Asian Nations Convention on Counter-Terrorism, 2007

Commonwealth of Independent States

Treaty on Cooperation among States Members of the Commonwealth of Independent States in Combating Terrorism, 1999

Protocol of 2002 approving the procedure for organizing and conducting joint counter-terrorism activities in the States members of the Commonwealth of Independent States, 2002

Treaty of States Members of the Commonwealth of Independent States on Combating the Legalization (Laundering) of Proceeds from Crime and the Financing of Terrorism, 2007

Cooperation Council for the Arab States of the Gulf

Convention of the Cooperation Council for the Arab States of the Gulf on Combating Terrorism, 2004

Council of Europe

European Convention on the Suppression of Terrorism, 1977

Protocol amending the European Convention on the Suppression of Terrorism, 2003

Council of Europe Convention on the Prevention of Terrorism, 2005

Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, 2005

League of Arab States

Arab Convention on the Suppression of Terrorism, 1998

Amendment of 2008 to the Arab Convention on the Suppression of Terrorism

Arab Convention on Combating Money-Laundering and the Financing of Terrorism, 2010

Organization of American States

Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance, 1971

Inter-American Convention against Terrorism, 2002

Organization of the Black Sea Economic Cooperation

Additional Protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in particular in its Organized Forms, 2004

Organization of Islamic Cooperation

Convention of the Organization of the Islamic Conference on Combating International Terrorism, 1999

Shanghai Cooperation Organization

Shanghai Convention on Combating Terrorism, Separatism and Extremism, 2001

Shanghai Cooperation Organization Convention against Terrorism, 2009

South Asian Association for Regional Cooperation

South Asian Association for Regional Cooperation Regional Convention on Suppression of Terrorism, 1987

Additional Protocol of 2004 to the Regional Convention on Suppression of Terrorism

IV. Information on workshops and training courses on combating crimes connected with international terrorism

Spain

73. Spain reported that it had planned a seminar for late 2014, to be held in cooperation with the Counter-Terrorism Committee Executive Directorate. The purpose of the seminar was to discuss and share best practices in assisting victims of terrorism in criminal proceedings.

A/69/210

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United Nations A/69/210

General Assembly

Distr.: General
31 July 2014

Original: English

Sixty-ninth session
Item 76 of the provisional agenda*
Criminal accountability of United Nations officials and experts on mission

Criminal accountability of United Nations officials and experts on mission

Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraphs 16 and 17 of General Assembly resolution 68/105. Section II contains information received from Governments on the extent to which jurisdiction, in particular over crimes of a serious nature committed by their nationals while serving as United Nations officials or experts on mission, is established under their national laws. Section III provides information on cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecution of such individuals. Sections IV and V relate to information on the activities within the Secretariat.

* A/69/150.

14-58527 (E) 040814

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I. Introduction

1. In its resolution 68/105, the General Assembly requested the Secretary-General to report on the implementation of the resolution, in particular with respect to its paragraphs 3, 5 and 9, as well as any practical problems in its implementation, on the basis of information received from Governments and the Secretariat.

2. By a note verbale dated 14 January 2014, the Secretary-General drew the attention of all States to that resolution and requested them to submit relevant information.

3. The present report provides information on efforts undertaken in that regard. Sections II and III concern activities and information received relating to the criminal accountability of United Nations officials and experts on mission, as required under paragraphs 3 to 5, 9 and 15 of resolution 68/105. Sections IV and V of the report relate to activities undertaken within the Secretariat in the implementation of paragraphs 6, 7 and 9 to 14 of the resolution, focusing in particular on information regarding the bringing of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters relating thereto.

4. The present report should be read together with previous reports of the Secretary-General under this item (A/63/260 and Add.1, A/64/183 and Add.1, A/65/185, A/66/174 and Add.1, A/67/213 and A/68/173). Attention is also drawn to the report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/68/756) (see in particular paras. 18 and 44 to 49).

II. Establishment of jurisdiction over crimes of a serious nature

Colombia

5. Colombia stated that the basis for characterizing offences as serious crimes under international law should be criminalization under the Rome Statute of the International Criminal Court. Under national legislation, there is no specific category of " crimes of a serious nature" . However, all forms of conduct characterized as serious crimes under international law, including genocide, crimes against humanity and war crimes, are criminalized under the Penal Code.

6. Under articles 4 and 95 of the Constitution, all persons in Colombian territory must abide by the laws of the Republic, while all persons within the territorial boundaries set forth in article 101 of the Constitution are subject to the laws prescribed by the Colombian legislature. While the territoriality principle remains the primary jurisdictional basis within the national criminal system of Colombia, as confirmed by article 14 of the Penal Code,[1] article 29 of the Code of Penal Procedure provides for the extraterritorial application of national criminal law to Colombian nationals who commit crimes abroad (in particular, the serious crimes listed in the Rome Statute), while serving as United Nations officials or experts on

[1] Article 14 of the Penal Code provides that Colombian penal law shall apply to all persons who infringe that law in the national territory, subject to the exceptions specified in the international treaties and conventions ratified by Colombia.

mission. It specifically provides that the criminal courts are responsible for prosecuting and judging crimes committed in the national territory, in addition to those committed abroad as determined by the international treaties signed and ratified by Colombia and national legislation. Such extraterritorial applications of jurisdiction, set out in article 16 of the Penal Code, include the extraterritoriality of penal law in order to defend the State and the extraterritorial application of Colombian criminal law to nationals other than public officials, if the national is present in Colombia after having committed a crime on foreign soil, where the penalty under Colombian penal law is a term of imprisonment of at least two years and such person has not been tried abroad. In particular, under paragraphs 2 and 3, the application of Colombian law can be extended to the extraterritorial conduct of its public officials in instances in which any person who is in the service of the Colombian State who enjoys immunity under international law commits a crime abroad, or where any person who is in the service of the Colombian State who does not enjoy immunity under international law commits a crime abroad, where such person has not stood trial abroad. The Military Penal Code also extends its scope to crimes committed by members of the armed forces on active duty outside Colombia in respect of those crimes committed by members of the armed forces on active duty inside or outside the country, when those crimes are the direct result of the military or police duties assigned to them by the Constitution, laws and regulations.

El Salvador

7. El Salvador reiterated the information contained in previous reports of the Secretary-General (see A/65/185, para. 17, and A/67/213, para. 4), confirming in particular that the principles of territoriality, nationality and universality were provided for under the Salvadorian Penal Code, thereby allowing the prosecution of crimes committed by individuals within Salvadorian territory, or outside of it when certain requirements were met. Moreover, the Salvadorian armed forces took steps to sign a memorandum of understanding with the host country before a mission began operations in order to ensure that any official or expert committing an act constituting a crime would be extradited for prosecution in El Salvador. At the time of reporting, no cases of Salvadorian nationals committing crimes while on mission had been reported.

Finland

8. During the reporting period, no allegations, investigations or proceedings against Finnish nationals had been brought to the attention of Finland, nor had crimes of a serious nature been committed by its nationals in the service of the United Nations as officials or experts on missions. Should such allegations be made, however, all appropriate measures would be taken to investigate and prosecute those crimes in accordance with applicable national law.

III. Cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions

Colombia

9. Colombia stated that international cooperation in criminal legal matters was governed primarily by international agreements and conventions signed by Colombia. Accordingly, only in the absence of an international instrument does Colombian law apply, pursuant to article 499 of Act No. 600 of 2000 (former Code of Penal Procedure). Article 485 of Act No. 906 of 2004 (Code of Penal Procedure currently in force) establishes the possibility of seeking assistance from foreign authorities or international organizations in initiating investigations of crimes committed abroad; article 486 provides for the transfer of witnesses and experts and to obtain evidence from foreign territories when necessary; and article 487 encourages the exploration of adequate ways and means of responding to requests by host States for support and assistance.

10. Colombia emphasized that its legal system contained the laws and statutes necessary to facilitate and ensure the collection and submission of evidence and to guarantee the incorporation, in any trial in Colombia, of information and evidence obtained by the United Nations. In particular, the Attorney General may enter into agreements with his or her counterparts in other countries for the purpose of strengthening judicial cooperation and sharing technology, experiences or training or any other activities with similar aims.

11. Concerning the protection of victims, Colombia noted that article 133 of Act No. 906 of 2004 obligated the Office of the Attorney General to implement such measures as are necessary to attend to the needs of victims and guarantee their personal security, in addition to that of their family members, and to protect them against any publicity that may constitute an undue attack on their private lives or dignity. Any measures to care for and protect victims shall not impinge on the rights of accused persons or on the right to a fair and impartial trial, nor shall they be incompatible with those rights.

IV. Bringing credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters relating thereto

12. In paragraphs 9 to 14, 16 and 17 of its resolution 68/105, the General Assembly urged Member States to provide information to the Secretary-General, requested the Secretary-General to provide certain information to the Assembly and requested the United Nations to take certain measures concerning the issue of criminal accountability of officials and experts on mission.

Referrals in relation to officials or experts on mission

13. The request in paragraph 9 of resolution 68/105 is similar to that made by the Assembly in paragraph 9 of its resolutions 67/88 (see A/68/173), 66/93 (see A/67/213), 65/20 (see A/66/174), 64/110 (see A/65/185), 63/119 (see A/64/183) and 62/63 (see A/63/260).

14. The information provided herein relates to the period from 1 July 2013 to 30 June 2014. During that period, and with reference to the request in paragraph 17 of the resolution, the Office of Legal Affairs referred to States of nationality, through the permanent missions concerned, the cases of 15 United Nations officials for investigation and possible prosecution. Of those cases, five concerned allegations of theft, five concerned allegations of misuse of information and communication technology resources and/or data, and each of the rest concerned allegations of undue private gain, outside activity, abuse of position and conflict of interest; procurement fraud; forgery and procurement fraud; abuse of position and conflict of interest; and entitlement fraud, respectively.

Requests for indication of status and assistance that may be provided by the Secretariat

15. The Office of Legal Affairs requested the States to which the cases were referred during the reporting period to keep the United Nations informed of any action taken by the national authorities in relation to those cases. As at the date of preparation of the present report, no States to which the referrals were made had contacted the Office to note that the matter had been raised with the relevant officials. The Office remains ready to assist with all referrals made.

16. Details of earlier requests by the Secretariat for information from States on how they were handling cases previously referred to them are contained in the previous reports of the Secretary-General on the subject (see A/64/183, para. 63; A/65/185, paras. 85-86; A/66/174, paras. 62-63; A/67/213, paras. 36-37; and A/68/173, paras. 19-20).

Possible use by States exercising jurisdiction of information from United Nations investigations

17. In paragraph 11 of its resolution 68/105, the General Assembly requested the United Nations, when its investigations into allegations suggested that crimes of a serious nature might have been committed by United Nations officials or experts on mission, to consider any appropriate measures that might facilitate the possible use of information and material for purposes of criminal proceedings initiated by States, bearing in mind due process considerations. In the same vein, in paragraph 13 of that resolution, the Assembly urged the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States.

18. In that regard, it is important to recall that the legal framework within which the referrals are made by the United Nations and the role of the Secretary-General have been outlined previously (see A/63/260, sect. IV).

19. The United Nations cooperates with law enforcement and judicial authorities of relevant Member States in accordance with its rights and obligations under the Convention on the Privileges and Immunities of the United Nations of 1946, in addition to other relevant international agreements and applicable legal principles. Accordingly, the Organization will disclose documents and/or information and waive immunity on a case-by-case basis where, in the opinion of the Secretary-General, immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. Consequently, information obtained by the Organization may be provided to the relevant authorities, and documents may be shared, subject to consideration of confidentiality and privileges and immunities. Documents may be redacted where necessary. It should be noted that, given that the United Nations has no criminal investigative or prosecutorial jurisdiction, the use of any documents or information provided by the United Nations, including their admissibility in any legal proceedings, is a matter for determination by the relevant judicial authorities to which such documents or information have been provided.

Protection of United Nations officials and experts on mission from retaliation

20. In paragraph 12 of its resolution 68/105, the General Assembly encouraged the United Nations, should allegations against United Nations officials or experts on mission be determined by a United Nations administrative investigation to be unfounded, to take appropriate measures, in the interests of the Organization, to restore the credibility and reputation of such officials and experts on mission. Moreover, the Assembly, in paragraph 14 of the resolution, emphasized that the United Nations, in accordance with the applicable rules of the Organization, should take no action that would retaliate against or intimidate United Nations officials and experts on mission who reported allegations concerning crimes of a serious nature committed by United Nations officials and experts on mission.

21. In this regard, United Nations officials who report misconduct by other United Nations officials or experts on mission are protected against retaliation under the staff regulations, rules and relevant administrative issuances, in particular the Secretary-General's bulletin entitled "Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations" (ST/SGB/2005/21), which was issued with the objective of protecting individuals who report misconduct or cooperate with duly authorized audits or investigations. In addition, it should be noted that staff members may appeal against any retaliatory measure through the internal justice system.

V. Other practical measures to strengthen existing training on United Nations standards of conduct, including through predeployment and in-mission induction training

22. The Department of Peacekeeping Operations and the Department of Field Support, with the assistance of conduct and discipline personnel deployed in field missions supported by the Department of Field Support, continued to conduct awareness-raising activities for personnel serving in those field missions, including by emphasizing the obligation of all United Nations personnel to observe the laws of the host State, in addition to possible consequences in terms of accountability should United Nations personnel fail to do so.

23. Furthermore, an accountability framework was developed, and will begin to be implemented in the third quarter of 2014, to measure the performance of field missions in connection with a number of indicators relating to conduct and discipline, including referrals by field missions for investigations to be conducted by law enforcement bodies of host States or recommendations to be made by field missions for referrals for criminal accountability to be made, as envisaged under the relevant General Assembly resolutions. In respect of referrals by field missions, when referring substantiated allegations of misconduct for disciplinary action, heads of mission are expected to consider whether it would be appropriate for such matters also to be referred to national authorities for prosecution and provide an analysis in that regard. As part of the accountability framework, field missions will be requested to report on a quarterly basis on their performance, including in meeting expectations relating to the two indicators identified above.